

Patronage and Corruption in Cambodian Forestry

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Abbreviations

BPAMP	The Biodiversity and Protected Areas Management Project
CDRI	Cambodian Development Research Institute
CFI	Community Forestry International
CGDK	Coalition Government of Democratic Kampuchea
CPP	Cambodian Peoples Party
DFW	Department of Forestry and Wildlife
ELC	Economic Land Concession
FA	Forestry Administration
FUNCINPEC	Front Uni National pour un Cambodge Indépendant, Neutre, Pacifique, et Coopératif (National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia)
IFSR	Independent Forest Sector Review
IMF	International Monetary Fund
KPNLF	Khmer People's National Liberation Front
LICADHO	Cambodian League for the Protection and Defence of Human Rights
MAFF	Ministry of Agriculture, Forestry and Fisheries
MoE	Ministry of Environment

NGO	Non Governmental Organization
PRK	Peoples Republic of Kampuchea
RCAF	Royal Cambodian Armed Forces
RGC	Royal Government of Cambodia
UN	United Nations
UNTAC	United Nations Transitional Authority in Cambodia
VFI	Village Focus International
WGNRM	The Working Group on Natural Resource Management

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1. Introduction; Background, Definitions and Key issues

This thesis is concerned with how patron-client relationships facilitate corruption in the forestry sector in Cambodia. In order to investigate this question a number of sub-questions will be asked. Does the existence of patron-client relationships encourage certain modes or patterns of corruption? What relevance do these relationships have within the current political field? In what ways can they be considered cultural phenomena? And finally, how have these relationships changed/adapted in response to historical developments?

1.1 Background and rationale

Since the Paris Peace accords of 1993, Cambodia's forests have been disappearing at a rapid rate, with a number of national and international logging companies being awarded concessions to log vast tracks of rainforest. Numerous reports have exposed endemic corruption in both the concession system and the forestry sector¹ as a whole. Officials from all levels of Government have been implicated in corrupt schemes that run contrary to official forest management policies. Many of the same reports have also identified patronage relationships as playing a key role in forestry industry corruption. In its 2004 report, "Taking a Cut", Global Witness claims that "corruption in the forestry sector is an intrinsic part of the patronage systems that sustain Cambodia's elite" (Global Witness 2004 (a): 43). Similar sentiments were echoed in the 'Cambodian Corruption Assessment' released by USAID Cambodia in May-June 2004. This assessment not only identified the forestry sector as rife with corruption, but also linked the existence of such corruption to patronage relationships within the Cambodian

¹ The term 'forestry sector' used in this thesis is a blanket term referring to all Government departments, National and International companies, and individuals engaged in logging operations and or forest management in Cambodia.

Government (USAID 2004: 5). The Government is described as a traditional Southeast Asian autocracy, where power is centralised and officials are ceded control over resources they then exploit (ibid: 5). Notably the assessment also highlighted the fact that “some observers view the Government as a single kh’sae, a traditional Cambodian patron-client network in which resources go up and come down again” (ibid: 6). In July 2003 a meeting of local and international NGO’s in Phnom Penh also stressed that “In order for anti-corruption efforts to succeed, this deeply rooted patronage system must be better understood” (Second Roundtable with Local and International NGOs 2003: 1). One of my informants was particularly clear on this point claiming that “The World Bank did not understand the patronage system was so powerful it could derail policy, for example the Concession system” (Anonymous informant: 01.12.06). In other words my informant alleged that the World Bank, an influential multi-lateral organisation, had underestimated the strength of patron-client relationships and that this underestimation adversely affected policy decisions.

Thus, while there is a widespread perception among observers of Cambodian politics that patronage relationships have a key role in facilitating corruption, they appear to be poorly understood. If this is indeed the case then the rationale for this thesis is clear. There is a need for increased understanding and dialogue about a sensitive social issue. This is as Creswell suggests “the strongest and most scholarly rationale for a study” (Creswell 1998: 94). To my knowledge there have been no in-depth studies as to the nature of the patronage-corruption connection in the Cambodian context. Also, as the literature on corruption is dominated by economic and political analyses, there appears to be a need to balance such explanations with cultural and historical perspectives. The assumption here is that corruption in Cambodian forestry cannot be adequately assessed without acknowledgement of, and reference to, the underlying processes, structures and relationships through which resources flow. As a direct result of the need to view the subject matter from a range of angles, this thesis

has chosen an interdisciplinary approach. Patron-client relations are political and cultural relationships, heavily influenced by historical developments. Their character and continuing relevance in Cambodian politics cannot be fully understood without reference to all of these factors. An interdisciplinary approach allows the researcher to illuminate an issue from different perspectives and to utilize a range of analytical tools (McNeill and Garcia-Godos 2005: 8).

However, while useful, an Interdisciplinary approach also poses substantial challenges for the researcher. Possibly the greatest challenge regards the issue of fulfilling the academic requirements of ones own discipline, while benefiting from interaction with other disciplines (ibid: 10). In other words an interdisciplinary work is in constant danger of being unrigorous, of being a jack of all trades, master of none. While this is a real problem, constant awareness and a sharp focus on the research question itself may help to reduce this threat. Such a focus helps to ensure that the researcher uses the methodological tools or theoretical approaches that are most appropriate for accomplishing his/her goal. Interdisciplinary research is after all not an end in itself, but a means of comprehensively approaching a research question (ibid: 11). Here we are presented with a relatively straightforward way of judging whether an interdisciplinary work has sufficient academic validity. That the subject matter is illuminated in a rigorous way, which would not have been possible by using only one discipline. It is this standard this thesis has sought to fulfil.

Before discussing theoretical and methodological approaches in more detail, it is important to first explain how key terms such as patronage and corruption are to be understood and used.

1.2 Corruption

As referred to above, corruption is widely seen to be a serious governance problem in the Cambodian forestry sector. Not surprisingly, there is no single,

overarching definition of corruption that can cover all possible cases. Despite diverse interpretations of the term, the most common understanding defines corruption as “the abuse of public roles or resources for private benefit” (Johnston 1998: 89). Rose-Ackermann supports this definition when she describes corruption as “the misuse of public power for private gain” (Rose-Ackermann 1999: 91). Thus corrupt officials utilise their positions and the authority vested in these positions for their own private advantage. Examples include accepting bribes from individuals for certain services, the allocation of government concessions to companies that are able to provide monetary kick-backs, or the use of one’s official authority to secure jobs or promotions for favoured people.

Furthermore the term corruption is often linked to descriptive words such as “grand”, “systemic” or “endemic”. Grand corruption refers to corruption that occurs at the highest levels of government and involves major government projects and programs (Moody-Stewart in Rose-Ackermann 1999: 27). Here governments transfer large financial benefits to private firms through contracts or the award of concessions (ibid). This form of corruption is important in the context of this thesis, as a concession system is used by the Cambodian government to manage the forestry sector. The terms systemic or endemic corruption on the other hand do not constitute a distinct category of corruption, but rather refer to a situation in a country where major institutions and processes are dominated by corrupt individuals and practices (Johnston 1998: 89). In other words, endemic/systemic corruption is corruption that is entrenched in a wide variety of social and governmental transactions.

1.3 The Patron-Client Relationship

The patron-client model has been used by Anthropologists and Political Scientists alike for decades. It is relevant to Southeast Asia in general and Cambodia in

particular as a means of investigating relationships that cannot solely be explained by other theories (Scott 1977: 123). While class orientated Marxist theory, or primordial models based on categories such as ethnicity, language and religion, can be used to understand certain groupings or alliances, they fall short in the face of the complexity and variety of interpersonal links observable in Cambodian society and political life. They do not per definition attempt to come to terms with important reciprocal relationships that transcend class, ethnicity and language boundaries. As a theoretical framework the patron-client model has been able to identify and assess the character of such relationships and to observe the role(s) they play in social life. It has also been able to track changes in the nature of these relationships over time and to analyse their relative importance to specific individuals and groups. In short the patron-client model illuminates important social relationships that otherwise could have been understated, or at worst overlooked.

As with most theoretical constructs, a definition of patron-client relationships is notoriously difficult to formulate. In an attempt to achieve conceptual clarity this thesis will approach the definition problem in a step by step manner. Firstly a general definition of patron-client relationships will be outlined and discussed. Once this is done an attempt will then be made at shaping the concept to fit the contours of the specific Cambodian context in which it will be used.

Patron-client relationships have been defined as

“a special case of dyadic (two person) ties involving a largely instrumental friendship in which an individual of higher economic status (patron) uses his own influence and resources to provide protection or benefits, or both, for a person of lower status (client) who for his part, reciprocates by offering general support and assistance, including personal services, to the patron” (Scott 1977: 125)

The personal bond between the patron and the client may stem from a number of sources, such as family ties, personal links between bureaucratic superiors and

their subordinates, childhood friendships, or shared motives of profit or gain (Scott 1972: 60). Patrons are expected to protect clients and share their good fortune with them, while clients must support their patrons in every way possible (ibid: 60). On the basis of such a definition, it is possible to identify a number of distinguishing characteristics that most patron-client relationships exhibit. Perhaps the most important and undoubtedly the most controversial of these is the reciprocal nature of these arrangements, (as will be discussed later, it is precisely this reciprocal focus that critics call into question). Nonetheless patron-client relationships are seen by many to exist because they in some way serve the interests of both parties. This distinguishes patron-client relationships from other relationships of pure coercion or formal authority (Scott 1977: 125). The patron cannot merely force through his/her will, or demand loyalty or services without giving up something in return. The relationship can thus be seen as a sphere of ongoing negotiation, where both parties give and receive according to their respective bargaining positions. While these positions may change over time (a political patron for example may be more inclined to reward his clients loyalty right before an election than at other times), the existence of some form of negotiation is a constant common denominator.

In “The Norm of Reciprocity: A Preliminary statement” Gouldner takes a closer look at the roles and reasons for reciprocity. He sees reciprocity as fulfilling a stabilizing role within societies, stating that “the stability of social systems largely derives from the conformity of role partners to each others’ expectations, particularly when they do their duty to one another.....presumably the more people pay their social debts, the more stable the social system” (Gouldner 1977: 38). In this way reciprocity (in this thesis expressed as patron-client relations), works by indebting people to one another, tying them to a system where they are expected to fulfill their obligations. Furthermore Gouldner highlights specific societies where there is a tendency to govern all relations by the norm of reciprocity (ibid: 36). He mentions The Philippines in particular as a case in

point. Here he claims the so called campadre system (a form of reciprocal relationship not unlike the patron-client model) is a legitimate, overt and powerful form of association for those involved, and thus has the ability to undermine bureaucratic impersonality (ibid). In other words the moral weight of such interpersonal bonds potentially runs contrary to Western norms of impartiality. The result is an ethical conflict of interest, one that this thesis will explore in greater detail later.

Another important feature of the patron-client relationship is that it takes the form of what Wolf calls an “instrumental friendship” (Wolf 1977: 172). In an instrumental friendship the primary motivating factor for establishing and maintaining the friendship is not mutual affection (as in emotional friendship), but mutual need. This is not to say that affection cannot be present to some degree, only that it is not the *raison d’être* of the relationship’s existence. Establishment of such an instrumental friendship brings with it both expectations (of assistance in times of need), and obligations (to provide support when requested). It also contains within it an element of flexibility. As expected assistance is the very foundation of the relationship, if this assistance is not forthcoming then the relationship is weakened and either partner may look to establish similar bonds elsewhere.

Finally it is vital to emphasize the hierarchical nature of the patron-client relationship. As Pitt Rivers claims, patronage is a sort of “lopsided friendship” (Pitt Rivers in Weingrod 1977: 324). The uneven nature of the friendship is perhaps best illustrated by

“the belief that the patron should display an almost parental concern for and responsiveness to the needs of his client, and that the latter should display almost filial loyalty to his patron- beliefs reflected by the tendency for familial appellations to be employed in the relationship” (Lande 1977: 77).

Although each party can realistically make claims within the relationship, the patron by virtue of his wealth, power or prestige, is always the dominant partner. While the nature and extent of this dominance may wax and wane as a result of changes in the actors' environment (promotions, elections, changes in resource flows), it is nonetheless a constant and enduring factor. Thus, while patron-client relationships are diverse in both form and expression, it is possible to make a number of observations that are true in most cases. They are reciprocally binding, primarily instrumental and essentially hierarchical relationships that influence the behaviour of the parties involved. As such, an analysis based on the links between patrons and clients may be used to better understand the decisions of individual actors within a wider political field.

What then are the links between patron-client relationships and corruption? Just what is it about this form of personal connection that causes it to be identified time and again as an obstacle to open and transparent government? This thesis will attempt to identify the specific values and practices associated with patronage that may facilitate corruption. Having done this, it will then argue that these values and practices constitute coherent and self-regulating ethical and coercive structures, which have the potential to conflict with other behavioural guidelines (such as laws ensuring official impartiality). In this situation individuals may be torn between two distinct sets of opposing rules applying to the same set of circumstances. If this occurs, acting in accordance with one set of guidelines will necessarily mean breaking the rules of another. In situations where there are contradictory rules, an individual actor must make a choice. A government official for example may plausibly be ethically bound both to the duties of his job, as well as by obligations to a patron. If the official, in a situation where these obligations conflict, chooses to honour his patron instead of the job description, he will most likely be deemed to be acting corruptly. At the core of the matter is this plurality of obligation. The question the official is faced with is which obligations weigh the heaviest and what potential sanctions hurt the most?

In the Cambodian context it is extremely important to keep these decision making dynamics in mind. An examination of the socially binding processes people are involved in sheds light on why they act the way they do and why certain rules and regulations appear ineffectual. In regards to corruption in the Cambodian forestry sector, it is clear that forces beyond the laws of the state are present and relevant to decision making. This thesis will look into the obligations, ethical considerations and sanctions that inform corrupt practices and discuss to what extent these factors complement private gain as motivating influences. The aim is not to discount the role of private gain as an important reason for corruption, but to highlight other issues that also have a significant impact on people's actions.

2. Theory

As stated in chapter 1, the primary aim of this thesis is to examine how patronage relationships facilitate corruption in the Cambodian forestry industry. Naturally how this relationship is understood depends a great deal on the theoretical framework adopted. In this case the theory on patronage relationships can roughly be divided into two schools of thought. Firstly, there are those theorists who emphasize the combination of strong social forces and “weak states” in the formation of patronage relationships and secondly there are those who stress the integral role of state structures.

2.1 Migdal and the “strong society, weak state” position

Of the first school, Joel Migdal is undoubtedly one of the most central writers. The main focus of Migdal’s work is the ongoing problem of why many states are unsuccessful in pursuing their stated aims or ambitions. While Migdal recognizes that the state will remain central to the study of comparative politics in the foreseeable future (Migdal 2001: 231), he rejects approaches that isolate the state as an autonomous and often idealized unit of analysis (ibid: 264). These approaches often regard the state as a reservoir of dominant societal values and as the driving force behind change (ibid: 4). Such approaches claims Migdal are inadequate, as they cannot explain why states, despite the enormous resources at their disposal, so often fail to influence society in the ways they had envisioned. Practical outcomes are not merely the direct result of policy blueprints, but are also formed by contextual influences. To properly appreciate the processes at work, Migdal recommends a state in society approach, where domination and change are seen as the result of a multitude of conflicts in society; about whose rules should prevail and which ideas should predominate (ibid: 10). Here the state does not necessarily hold a monopoly on the moral rules that shape people’s

lives. It is only one of a number of groupings in society, all of which are seeking to influence how people behave. Seen in this way the ideal image of the state as upholding a successful monopoly over the use of force within an area, and as upholding “The Law” as morally binding (ibid: 14), begins to look decidedly shaky. Indeed Migdal argues that maintaining such an idealized version of the state is misleading. It “provides no way to theorize about arenas of competing sets of rules other than to cast these in the negative” (ibid: 14). If the state is the benchmark, the one ideal standard, then deviations from this benchmark must necessarily be described in terms of weakness or corruption. Thus an ideal state denotes a singular morality, one right and moral way to act. In practice Migdal claims there are many “right ways” or moralities, each with their own normative rules for good behaviour, and sanctions for those who break the rules. If the main subject of this thesis, the patron-client relationship, is also seen as one such competing morality, then Migdal’s approach allows us to see this phenomenon in a fresh light. The actions these relationships promote are not only corrupt deviations from accepted, state sanctioned norms of behaviour, but at the same time, according to another set of rules, morally defensible. Therefore, whether actions taken by people governed by more than one set of competing rules (in this case those of the state and those of patron-client obligations) are defensible or not, depends on which side of the moral fence one stands on.

In his 1988 work “Strong Societies, Weak States” Migdal also claims that the state’s role in making and authorizing rules governing public affairs has been overstated in the West (Migdal 1988: 30). Particularly in societies with relatively new states, there is an intense struggle between states and other social organisations within society, over who has the right and ability to guide people’s behaviour. Families, clans, tribes and patron-client relationships are all labelled as potential players in such a struggle (ibid: 31). New states especially are often relatively weak, and therefore run the risk of involuntarily ceding power to these strong social organisations. If the assumptions outlined above are accepted, then

the social climate within a nation's boundaries may be seen as one of conflict, of competing obligations and often contradictory norms. According to Migdal, there are many observers who have failed to properly acknowledge such moral plurality.

In the midst of this environment of conflict, Migdal identifies individuals, pursuing what he calls "strategies of survival" (ibid: 27). These strategies are informed by a combination of basic material needs and aspirations, but also by the myths people hold regarding the world around them, myths that organise and make manageable a chaotic universe (ibid: 26). Thus people's strategies of survival are informed by both rational and moral concerns. Following this assertion, social control rests with those organisations that are best able to deliver material and moral security. If one focuses specifically on patron-client relationships, this means that patrons (or strongmen as they are sometimes referred to) exist partly because they fulfil a client's needs. Because in many parts of the world, patrons have been so successful in meeting clients' needs, they have effectively captured many states particularly in developing countries (Sidel 1999: 2). From this perspective patron-client networks exist because they fill the vacuum left when states fail to provide for their constituents. They bring a semblance of hierarchical order to society and facilitate the distribution of resources.

During fieldwork in a Cambodian refugee camp on the Thai-Cambodian border, Lindsay French observed many of the societal and state characteristics Migdal describes. In particular she found that certain conditions were conducive to the existence of patronage relationships. Among these conditions were "the relative absence of effective impersonal guarantees such as public law for physical security, property and position" (French in Ovesen et al 1996: 71). Like Migdal, French sees patronage relationships as a response to the weakness of states in regulating social relationships and providing for people's needs. In the absence of effective state control, they are a means by which people pro-actively fend for

themselves. Indeed French identifies in her informants a “kind of collective insecurity, a collective fear of once again being without...a collective mistrust of any institutional strategies for dealing with society’s problems” (French 2002: 462). While such collective scepticism was undoubtedly extreme in a refugee camp in the early 1990’s, many organisations have identified a similar climate of insecurity within present day Cambodian society. In their Cambodian Corruption Assessment of 2004, USAID claims that “ordinary Cambodians distrust the legal system, including the formal courts. The police and other enforcement bodies are also seen as corrupt” (USAID 2004: 3). Thus, the climate of insecurity brought on by the atrocities of the Khmer Rouge regime (1975-79) and the ensuing societal unrest, may be a contributing factor in the ongoing relevance of the patron-client relationship model. This thesis will pursue this line of enquiry and attempt to investigate possible causal links between institutional insecurity and patron-client relationships.

2.2 A Critique of Migdal: Sidel and “Bossism”

The second school of thought evident in the literature on patron-client relationships is perhaps seen most clearly in the work of John T. Sidel. In contrast to the above picture of patronage relationships as primarily driven by social and cultural forces in response to a weak state, Sidel and others have sought to highlight the role of both coercion and strong state structures. In “Capital, Coercion and Crime, Bossism in the Philippines”, Sidel provides a comprehensive critique of the “strong society, weak state” position held by Migdal and French. In his examination of Philippine government and society, he seeks to understand the continuing influence of strongmen, and the contextual causes of their success. These strongmen, referred to by Migdal as patrons, are instead described by Sidel as “Bosses” (1999: 19). In contrast to patrons who rely at least partly on reciprocity, bosses are described as “secular leaders par excellence, who depend almost entirely on palpable inducements and threats to

move people” (ibid). Sidel argues that coercive and violent forms of control used by bosses are underrated (ibid: 4). He sees hierarchical relationships in the Philippines as essentially a one-way street, where bosses (not patrons) cement control over weaker people (not clients) through the implicit, and at times explicit, threat of force. In this regard Sidel provides a direct criticism of Migdal’s arguments even going so far as to write that it is

“Noteworthy- and astonishing- that authors such as Migdal.... ignore the role of the police and other coercive apparatuses of the state, and of violence and intimidation, in the establishment and perpetuation of local strongman rule” (ibid: 155).

This is an important point of contention as it cuts to the heart of the entire patron-client model. How are we to know whether the vertical structures that are called patron-client ties are seen as legitimate by both parties? And how are we to distinguish false deference from real deference, coercion from collaboration, forced compliance from legitimate power? (Scott 1977: 21). If reciprocity cannot be established, then Sidel may be right in asserting that fresh ways of understanding such hierarchical relationships must be developed. Consequently the search for reciprocity in the Cambodian context is one of the cornerstones of this thesis.

Interestingly, as it is so neatly the opposite of Migdal’s method, Sidel advocates “an approach that accords more autonomy and greater causal primacy to the Philippine state” (ibid: 12). Whereas Migdal sees the explanatory limitations of state focus, Sidel loudly proclaims the virtues of state based analysis. This attitude leads directly to Sidel’s second key point, which is that the contexts in which strongmen thrive “are shaped at least as much by the nature of the state as by that of society” (Sidel: 1999: 4). From this point of view, state structures play a decisive role in the emergence and entrenchment of local strongmen and their associated patronage systems (ibid). In his examination of small town bosses in Cavite Province in the Philippines, Sidel has identified local policing and taxing

apparatuses as particularly useful to strongmen. In this context, town mayors (a coveted post for strongmen), have exercised control over the appointment and removal of municipal policemen and funding for their salaries and firearms (ibid: 26). Thus they have managed to use state structures to assume control over local coercive power. In addition, Sidel claims that mayors have enjoyed discretion over local finances, through their influence over the appointment of treasurers, and their control over public fees and tax rates (ibid). Again a similar pattern can be seen; the exploitation of the state organisation in order to establish control over a region's resources. In Sidel's view, such processes are evidence of the strength of state structures and their key role in perpetuating strongman power.

Although the two theoretical positions outlined above are quite distinct, they need not be mutually exclusive. This thesis will seek to draw on the best from both worlds. Migdal's focus on the plurality of obligation inherent in many societies is vital in attempts to understand the motivations behind individual action. On the other hand Sidel's insights are important as they call into question the reciprocity Migdal takes for granted, and also because they highlight the practicalities involved in building power and influence.

Both writers, in their use of aspects of the state to explain societal trends, also demonstrate an interesting point; the state has a lot of aspects. While this statement may seem banal, in the strong/weak state debate it is an important one to consider. After reading Migdal and Sidel, it seems that they both, to a large extent, hit the theoretical mark with their analyses. Their ideas are coherent and empirically defensible. Why then do they seem to disagree so violently? One answer may lie in the fact that they are each aiming at different targets, within the wide framework of the state. Migdal seeks to understand why states fail to accomplish their stated aims vis a vis society (and finds weakness); while Sidel instead hones in on the use of state structures by strongmen (and finds strength). In this area at least, Sidel and Migdal need not be seen as theoretical foes. It is for example plausible that a state may have strong formal structures, which are

exploited by strongmen, while at the same time struggle to deliver on policy. In fact this exploitation by strongmen/patrons within the bureaucracy may well be a contributing factor to the failure of Government to meet policy goals. Ironically strongmen, supported by strong state structures, can weaken implementation of, and compliance with, state policies. The key question would then seem to be, what factors can be used to explain why officials so often use state structures for their own ends, instead of to fulfil policy statements?

2.3 Scott

One theorist who effectively straddles the above positions, and so illustrates their at least partial compatibility is James C. Scott. For precisely this reason, Scott's analyses are particularly useful to this thesis. On the one hand Scott emphasises with Migdal the reciprocity of patronage relationships. He calls this reciprocity "the legitimacy of dependence" (Scott 1977: 24-25), where both parties in the relationship give according to what they expect to receive. Within this norm of reciprocity (ibid: 26-27) lies what Scott sees as the morality of patronage relationships. Patrons as well as clients are expected to live up to certain norms or minimum standards of performance. Whether patrons actually live up to these standards is another question. However Scott claims there is little doubt that these standards actually exist (ibid: 27).

Also in agreement with Migdal, Scott sees the formation of patronage relationships as due to the "weakness of formal standards of procedure, which makes personal security contingent upon personal alliances" (Scott 1972: 60). In this assumption Scott supports French in her observations discussed earlier. However, at the same time he also emphasises the instrumental role of the state. In his study of corruption in Thailand, Scott found that "the political structure of the state has both facilitated and reinforced the role of personal ties" (ibid: 67).

In explaining how the state's structure can contribute to personalised alliances, Scott refers to the politicisation of administration. By this Scott means the tendency in Thai politics for fundamental political decisions to be decided not in elections or legislative battles, but within the "civil and military administrative apparatus" (ibid: 61). Here patron-client pyramids take the place of political parties in the system, competing with other pyramids over resources. In such an environment, bureaucratic command structures are not just an avenue for getting things done, but also play a central role in deciding how resources and power are to be distributed.

In addition to the fact that political decisions take place within the bureaucratic sphere, Scott also emphasises the personalistic nature of Thai bureaucracy. He claims that

"a Thai administrator tends to view many of his subordinates as personal retainers who owe him a personal loyalty...He tends to view the powers and property associated with his office as part of his personal domain- a domain to be used in the pursuit of private and/or clique gain" (ibid: 65)

In this way high placed officials use the structures, resources and authority vested in their positions to maintain their nets of personal relationships. Similarly lower officials (who are effectively the clients of higher placed officials), understand that formal regulations and policy may be contravened on the personal authority of a superior (ibid). Far from being stable and dependable, the interpretation of policy documents and regulations is subject to personal influence. Thus lower officials also understand that loyalty is a quality that higher officials expect and cherish, and one that will get them much further than efficiency or capability. In summary then, Scott sees the results of Government action (including corrupt outcomes) as partly influenced by personal relationships, which in turn rely on established bureaucratic structures.

Another interesting feature of Scott's work is his overall assessment of large patronage networks within government. He claims that

"A large clientele structure is particularly fragile since peripheral supporters have fewer ties of kinship or sentiment to bind them to the network than those at the core...they are cemented together by the material incentives available to elite military and civilian officials" (ibid: 61).

In the context of this thesis, this observation is important for a number of reasons. Firstly, it highlights the fact that the make-up of patronage relationships has a direct impact on patterns of corruption. In this case, a large patron-client network necessitates the transfer of substantial material incentives from the core to the periphery. This is an interesting claim and one this thesis will seek to test. Is it in fact rewards that hold the network together or are there other more coercive forces at work which reinforce the stability of patron-client relations.

Secondly, it illustrates that changes in the structure of patronage relationships can affect their nature. In the above example, it is just as much material rewards as felt moral obligation that hold the network together. And finally, it is important to note that Scott refers here to military and elite officials. The patron-client relationships he has observed in Thailand, derive their resources primarily from the trappings of Government employment. This trait makes Scott's analyses particularly relevant in the Cambodian context. As Global Witness observed in their 2004 report on illegal logging

"A patronage system which more or less corresponds to the RCAF's (Royal Cambodian Armed Forces) command structure, requires troops to participate in criminal activities in order to profit their commanders" (Global Witness 2004 (a): 21).

Thus Scott's work in Thailand is also applicable in Cambodia, especially when looking at how patron-client relationships have maintained their significance by using the structures of office to support their growth.

While the above discussion of patron-client theory is certainly not exhaustive, the intention has been to highlight the main theoretical positions within an on-going academic debate. The theorists discussed have been chosen not only because they are well known within their field, but also because they represent and bring to light a wide range of issues this thesis will investigate. In particular, issues of hierarchy, reciprocity, state influence, and plurality of obligation will be further examined in the following chapters, in an attempt to better understand the links between patron-client relationships and corruption.

3. Methodological considerations and contextual influences

*“When should we use qualitative methods? The answer is when our questions require them”*²

The choice of research method(s) is subject to a variety of influences. Specifically, methodology is intimately related both to the research topic itself and to the theoretical approaches utilised. My interest in the relationship between patron-client relationships and corruption in the Cambodian forestry sector and the theorists I have chosen to use, have pointed clearly in certain methodological directions. Corruption as a phenomenon is by its very nature reticent and withdrawn. Its objective, the generation of private revenue at public expense, is rarely conducive to direct exposure on any level. When one is in addition interested in the *personal relationships* that facilitate corruption over time, the methodological challenge is sizable to say the least. This project chose to tackle the challenge by adopting two distinct methodologies: a *Historical Analysis and a Qualitative Case Study*. I make a clear distinction between the two here on the basis of Yin’s rather tight definition of what a Case Study is. He defines it as an empirical inquiry that investigates a contemporary phenomenon within its real life context (Yin 2003:13). As the aim of this thesis has been to look both at patronage’s contemporary *and* historical links to corruption, the choice of two methods was a necessity.

The first method chosen, Historical Analysis, allows the researcher to investigate significant past events, promoting a better understanding of what is now by illuminating what has come before. In addition such an analysis is able to examine which facets of patronage relationships have endured and which have changed over time. The analysis contained in this thesis stretches from as early as

² Scheyvens and Storey 2003: 59

the Angkor period (802-1431AD), through French Colonialism, independence, the Khmer Rouge regime and up to the present day. The hope is that nearly 1000 years of turbulent history is sufficient to capture the strong hierarchical nature of Cambodian society, and the place of patron-client relationships in perpetuating this hierarchy.

The second methodological tool used in this thesis is the Case Study as defined by Yin above. The bulk of the Case Study took place over a period of six weeks from November to December 2006 in Phnom Penh, Cambodia. There I conducted a series of semi-structured interviews with representatives of Non Governmental Organisations (NGO's), members of the press, spokesmen from Opposition political parties, a representative from the World Bank and senior officials in the Ministry of Environment (MoE) and the Forestry Administration (FA). Earlier, in October 2006, I travelled to London to interview the Cambodian coordinator for Global Witness, a London based NGO that acted as independent forest monitor in Cambodia from 1999 until April 2003. This interview was instrumental in establishing a network of contacts many of which I utilised during my time in Cambodia.

As mentioned above, the interviews undertaken in Phnom Penh were semi structured in style, a technique that allows the interviewer to have control over the topics discussed, while still being open enough to allow the interviewee to elaborate on specific issues. Before I left for Cambodia I assumed that an interpreter would be needed, however to my surprise all the interview objects spoke relatively good English and so interpretation was unnecessary. Some of the interviews were taped but, due to security concerns, the majority of my informants preferred not to be recorded. This meant that I was forced to take notes during the interview and to transcribe the interview later the same day so as not to lose relevant information. A significant number of informants made it clear to me that they would only agree to be interviewed on condition of anonymity. Many also explained to me that the organisations they worked for cooperated

closely with Government agencies and specified that these organisations must also remain anonymous. One of my informants was in the vulnerable position of being employed both in a government department and in an international NGO. This person was visibly nervous during our 1 ½ hour interview, looking over his shoulder and telling me to quieten down if I talked too loudly. As I was told bluntly during my first interview with the director of an NGO, “You have to realise this is not a free society” (Anonymous NGO informant: 23.11.06).

To supplement the two formal methodological approaches outlined above I also spoke informally with some of my previous contacts in Cambodia. Over a period of 4 months from March to June 2000, I lived and worked in Kompong Cham province and have kept in contact with friends and acquaintances there since. These friends proved invaluable in “filling in the gaps”, and providing insights into established cultural norms and expectations. They were particularly helpful in explaining hierarchy in the Cambodian context and giving everyday examples of how it is practiced.

As is perhaps apparent already, this thesis has employed almost exclusively qualitative research methods. The rationale for using such methods is stated clearly at the beginning of this chapter. They are used because the questions asked in this thesis, about complex behavioural patterns, require them. It would be very difficult to attain the depth of information needed from for example questionnaire responses. Personal feelings of loyalty, obligation and debt do not fit neatly into the one question, one answer format. Instead more general face to face conversations are needed, so the researcher has the flexibility to approach the key issues from different angles, use metaphor as a means of clarification, and not least, to reassure the informant as to the aims and methods of the research project. This last point was of particular importance in the Cambodian context where, in an atmosphere of political intimidation, informants were likely to be extra careful about expressing their opinions. In addition, the use of qualitative methods allows a focus on culturally based explanations for corruption, a focus

that is absent in much of the literature. Although many observers of Cambodian politics agree that patron-client relationships play a key role in facilitating the phenomenon of corruption, to my knowledge there have been no in-depth qualitative studies into patronage and corruption in Cambodia.

Choosing relevant methods is challenging enough. Finding tactical ways to put them into practice in the field in a way that is likely to elicit the required information is another matter entirely. The way I chose to approach my fieldwork on patron-client relationships and corruption, is not unlike the traditional method Australian Aborigines have for killing lizards. Rather than rushing straight at the target (an action rarely associated with success) the preferred approach is to walk around the animal in ever decreasing circles, until it is confused as to the direction of the attacker and may in the end be hit on the head with a minimum of fuss. In a similar way, storming into government offices demanding to know the in and outs of corrupt relationships was likely to be unsuccessful. The strategy adopted was instead to circle the object(s) of study, gathering information from as many well placed sources as possible. This gave me the advantage of being able to observe the research target from a range of positions and hopefully be able to discuss it better. While my circles remained a good distance from the object of interest they were close enough to allow a critical examination of the phenomenon and the context within which it took place.

Another important matter to consider during the practical process of doing fieldwork was reliability. The significance of this issue was impressed upon me quite early in the piece, when interviewing a research assistant who works for a well known National newspaper. The assistant provided me with what I at the time took to be valuable information about the political affiliation and alliances of the former Governor of Ratanakiri province Mr Kham Khoeun. However, after cross checking the information with other informants, I found the initial information to be grossly incorrect. I was for example told by the assistant that Mr Kham Khoeun was a member of the political party FUNCINPEC, when in

actual fact he was a member of the ruling Cambodian People's Party (CPP). Thereafter I cross checked all relevant information received with other informants. If the goal of reliability is to minimise errors and biases in a study (Yin 2003: 37), then cross checking is undoubtedly a vital tactical tool in achieving this goal.

In short this thesis has chosen research methods that are suited both to the topic of this thesis and to the theory employed. A Case Study and a Historical Analysis have been used as they shed light on the context (Cambodian hierarchical society and patron-client relationships) within which a given phenomenon (Corruption) takes place. My assumption is that the obligations, behavioural expectations and sanctions embedded in this context are able to motivate officials to engage in corrupt activities.

4. Hierarchy in Cambodia: Backbone of a Nation?

As mentioned earlier in this thesis, patron-client relations have often been described as “lopsided friendships”, or in similar terms that leave little doubt as to the uneven power dynamics at play within these relationships. If hierarchy is indeed an essential component in the make-up of patron-client relations, then an appreciation of its development and relevance in Cambodian society is vital. Thus, this chapter will attempt to trace Cambodian hierarchical constructs from the Angkor period until today. Over this stretch of time it is possible to identify countless hierarchical expressions and forms. As it is impractical here to achieve a detailed analysis of hierarchy in all its shapes and sizes, this chapter will content itself with a number of (hopefully representative) samples, which come from a variety of different sources. Of these, language, religion and political history are the most important. As Foucault states “One needs to investigate historically, and beginning from the lowest level, how mechanisms of power have been able to function.” (Foucault and Gordon 1980 :100). In other words if we are to properly comprehend the workings of hierarchy today, we must examine it at the nuts and bolts level, through some of its many manifestations.

When portraying society in the Angkorean Period (802-1431 AD), Chandler writes of a society divided into strata (Chandler 1993: 47). Hansen characterises 19th century Cambodia as “stratified” (Hansen: 2004: 45) and Ledgerwood states simply that in present day Cambodia “no-one is considered equal to anybody else” (Ledgerwood 2006: 1). Taking these observations into account, the first and clearest assumption we can make about hierarchy in Cambodia, is that it is a perennial construct, one that has maintained its relevance over a long period of time. The notion of hierarchy it seems, has been and still is a guiding principle in social life and social relations in Cambodia. However, it is not sufficient simply to assert that inequality between people exists and has done so for many years. If

a better understanding of patron-client relations is to be achieved, we need to know how this hierarchy has been expressed, how it has been validated and what purposes it has served.

4.1 Language

In terms of hierarchical expression, one of the most obvious places to look is the Khmer language, which is spoken by the vast majority of Cambodians. Here there are countless instances where hierarchy is embedded in daily interaction. A good example is the word “*Bong*” which is used instead of individual names to address elderly people. Interestingly use of the word is not absolutely limited to elderly people, but may also be used to address a person of similar age but one with more knowledge, higher official position or a greater degree of religious practice (Aspelund 2005: 54). “*Bong*” then is a term which refers not only to a person’s superior age but to their superior status. It is a mark of respect for social standing and a way of acknowledging ones (relatively) inferior position. Indeed the very fact that it is used in place of, not in addition to, individual names may be seen to be an especially strong expression of hierarchical order. Consider for example two ways of addressing the current President of the United States. He may be referred to as “The President” or “Mr President” or alternatively as, “President Bush”. The first two versions are akin to the use of “*Bong*” in Khmer, in that they refrain from using the person’s individual name. The effect of this omission is that all focus lies on the person’s position in society, in the above example the political and military leader of the United States. If both a person’s title and his/her individual name is used (as in “President Bush”), the effect is different. Here attention is not only drawn to the person’s position, but to his/her personality and personal characteristics. In many cases, the use of a person’s name may reduce the power or respect which lies inherently in their title. In short then, the replacement of a person’s individual name with a title may indicate that hierarchical order supersedes individual influence. The use of “*Bong*” and

“*Bong*” alone when addressing a person in Khmer, removes personality from the equation. It stresses a person’s status as being the predominant indicator, the most important factor in deciding how that person is to be treated.

In addition to the word “*Bong*”, the form oral greetings take is also dependent upon the status relationships between people. When greeting a person of equal or lower status than oneself, the phrase “*Sok Sabay?*” is commonly used (literally “Are you happy?”). This greeting is friendly and informal and is usually returned by the phrase “*Ba Sabay*” or “Yes I am happy”. However, when one greets an elder, or a person of superior status, the palms of each hand are pressed together in front of the face and the formal words “*Chum Rheap Sua*” are used. It is also common to slightly bow the head during the greeting. In this way respect for a person’s status is demonstrated both verbally and through ritual body language.

Another aspect of the Khmer language that reinforces the idea that hierarchy is important in Cambodian society is the plurality of the verb “to eat”. Whereas in English there is only one word that signifies eating, in Khmer there are several. Which of these words is used depends on who, or what, is doing the eating. When a child eats, the word “*Njam*” is used (as in “*Njam bai*”; to eat rice), while when an adult eats the terms used are “*M’hop bai*” or “*Psar bai*”, depending on what status you have in society and who you eat with. “*P’sar bai*” is hierarchically superior to “*M’hop bai*”, being often used when addressing older men. In addition to these terms are phrases used for distinct categories of people. When monks eat the specific phrase is “*Chhan bai*”, while the King has his own category entirely “*Souwie bai*” (informal conversation with anonymous informant 20.12.06). Clearly when everyday activities such as eating are subjected to such stringent classification, hierarchical organisation may be said to occupy a central position in Cambodian society. Even when performing the most basic of tasks, hierarchical ranking is present and explicitly articulated.

The above examples are interesting and relevant to this thesis, as they provide an intelligible verbal image of Cambodian society. Through an analysis of expressions we are able to gain insights into the societal logic that inform them. Conventions in the Khmer language tell us that set notions of hierarchy exist, and that these hierarchical ideas are constantly being reaffirmed. However, everyday language is only one indicator of hierarchical order. If it is indeed true that “man is an animal suspended in webs of significance he himself has spun” (Geertz 1993: 5) then language is only one strand of the web. It reaffirms the existence of hierarchy, yet says little about its purposes or its legitimating logic. In order to say something about the foundations upon which hierarchy rests we must look elsewhere, to other meaningful strands running through Khmer culture. An appropriate place to start may be with a religion that has permeated Cambodian society for almost a thousand years.

4.2 Religion

During the thirteenth century, the largest change to affect Cambodia was the conversion of most of its people to the Theravada variant of Buddhism (Chandler 1993: 68). From this time until the present day, Theravada Buddhism has remained the dominant religion in Cambodia, adhered to by over 90% of the population (Steinberg 1959: 59). The exception to this rule of Buddhist domination, was the Khmer Rouge period from 1975-79, when Pagodas were closed and monks were defrocked and put to work growing rice (Martin 1994: 183). Buddhism however re-emerged vigorously after the Khmer Rouge were defeated (ibid), resuming its place at the centre of Cambodian society. During my stay in Phum Veal village in 2000, I observed a wide range of Buddhist activities and a high level of involvement in religious practices. In the family I stayed with, one of the sons had been a monk for a time and the mother of the family made frequent visits to the Pagoda with offerings to the monks. Both funerals and weddings were presided over by monks and conducted according to Theravada

Buddhist practices. Thus it is clear that Buddhism is a religion that has been, and continues to be, relevant within Cambodian society. For precisely this reason, we can presume that Theravada Buddhism's ontological assumptions about order, merit and power have had a significant effect on patterns of hierarchy.

In "Khmer identity and Theravada Buddhism", Anne Hansen analyzes the impact Theravada Buddhism had on Cambodian society from the mid 18th century until 1930. She asserts that "Religion has deep roots in the Khmer traditional society, not only in artistic and cultural life, but also in shaping the identity and the mentality of the Khmer people entirely" (Hansen 2004: 40). In relation to hierarchy, Hansen found a version of Buddhism where the hierarchically ordered nature of social and individual identity was a foundational assumption, one that was also implicit in a range of poetic texts (ibid: 43). These texts not only outlined individual identity, but also revealed an interpersonal map of society through which associations could be understood. Indeed individual identity was in many cases (and perhaps primarily) relational, determined through interaction with others. There were stringent guidelines on how to fulfil one's individual responsibilities and how to navigate within society. As Hansen writes

"niti texts studied by monks and *cpap*, a genre of didactic poetry widely learned in a sung form in Cambodia, provided rules of conduct....These texts emphasised one's role in relation to others and the actions and behaviour appropriate to that role, patterning an idealised replication in social relations of the ordered hierarchical arrangement of beings in the larger cosmos" (ibid: 43).

In other words Theravada Buddhism, as understood in the Nineteenth century, promoted hierarchy as the inherent order of things, a structure which organised and made sense of the universe. In addition, Theravada Buddhist notions of hierarchy were not merely spiritual or theoretical abstractions, but workable ideas, actively promoted through poetry and song. Their intention: to mould societal interactions into what were seen as appropriate forms.

Taking a further step into Cambodia's religious past, Ebihara has examined the influential role of Buddhism, and its tendency to validate hierarchy, in Sixteenth and Seventeenth Century Cambodia. She writes that "hierarchy in general was reinforced by Theravada concepts of merit and power that legitimated both the authority of those in high positions and the modest condition of the lowly" (Ebihara 1984: 284). Merit in particular was important as it sifted the wheat from the chaff so to speak. People who had performed meritorious actions in past lives found themselves, quite rightly, in positions of power, while those whose previous existences were less meritorious found themselves, just as deservedly, at the bottom of the social ladder.

Through the above examples, the pivotal role Theravada Buddhism has played in moulding Cambodian society becomes clearer. It has provided an ontological and normative hierarchical order, one that portrays hierarchy as the actual, and the most desirable, model of interpersonal relations. This hierarchical framework indicates not only a person's place in the world, but also their obligations towards others. Importantly, it also provides a legitimate, justifiable logic, by explaining hierarchy as the result of actions in past lives. Nobody's place in the order is seen as accidental; everybody belongs where they are. Of course this is not to say that such constructs present an inflexible, unchallenged picture of what society was or is like. There is at any one point in history numerous and often competing conceptions of identity and order (Hansen 2004: 42). However an understanding of prominent cultural ideals in any society is extremely useful (Ledgerwood 2006: 1). Though they are not identical to practice, they are important methodological tools in our bid to understand how and why people behave as they do.

4.3 Political expression

Having briefly outlined expressions of and justifications for hierarchy in Cambodian society, it is now possible to look at some of the specific purposes it has served. In its many manifestations it has performed a variety of functions, both cultural and political. One of the areas of society where the purposes of hierarchy are perhaps most obvious is in historical forms of governance. An examination of these forms is particularly important to this thesis, as the hierarchical patron-client relations under examination exist within Government departments. Thus it is relevant to ask, to what extent have previous hierarchical governance practices influenced Cambodian politics today?

In his introduction to “A History of Cambodia” David Chandler makes a notable claim. He writes that, ”For most of Cambodian history, it seems, people in power were thought (by themselves and nearly everyone else) to be more meritorious than other people” (Chandler 1993: 2). The most striking aspect of this statement is not its focus on the merit of the powerful. After all, this would be an expected trait in a society heavily influenced by Theravada Buddhism. What is more surprising is the claim of continuity contained in the words “for most of Cambodian history”. Most of Cambodian history is a long time, a time riddled with war, social and cultural upheaval, and subordination. Therefore any phenomenon that manages to survive must per definition be extraordinarily tough and malleable. So, if Chandler is correct, the ongoing existence of legitimate forms of hierarchy may be seen as one of the defining characteristics of Cambodian political society.

Chandler reinforces the above argument by drawing historical parallels, sometimes between periods separated by hundreds of years. Writing on the Cambodian political system in the 19th century he claims that

“ there was probably little difference between the way Cambodia was governed in the 1860’s and the way Angkor had been governed almost a thousand years before. In both

cases...government meant a network of status relationships whereby peasants paid in rice, forest products or labour to support their officials. The officials in turn paid the King, using some of the rice, forest products and peasant labour with which they had been paid. The number of peasants one could exploit in this way depended on the position one was granted by the throne; positions themselves were for sale” (ibid: 142)

Here Chandler describes a durable system of government, one lasting up to a thousand years, where the main facilitating structure is a network of status relationships, a hierarchy of re-distribution. The governance method outlined above is one of resource extraction and consolidation. For such a method to survive, hierarchical conceptions of society and ones place in it are essential. Within such conceptions, peasants are provided with clear justification as to why they should pay officials. They are more meritorious, and so have greater power, and so must be honoured with payment. Without such hierarchical beliefs, all that is left is a system where the rich exercise raw power over the poor in order to benefit from them. Obviously the latter system, lacking a common belief in its rightness, would surely be far more prone to revolt and instability. Perhaps this points to the legitimization of power as one of the most important functions of hierarchy in the Cambodian context.

Interestingly, the implications of hierarchical continuity seen in the work of Ebihara, Hansen and Chandler, were reinforced on a number of occasions during my fieldwork. In nearly all the interviews I conducted, some mention of an ongoing hierarchical culture was made. These hierarchical references ranged from generalised assertions to more specific, concrete instances of how hierarchy functioned in contemporary society. Vuthy Lic from the Cambodian Development Research Institute (CDRI) for example, described the respect Cambodian people reserve for their superiors. “From when I am in my Mother’s belly I know to respect my elders and important people. Ninety percent of Cambodian people are like this” (Vuthy Lic, CDRI, 23.11.06). Such an

unequivocal statement implies that hierarchy is as much a part of the texture of Cambodian people's lives as are rice fields and sugar palm trees.

In addition to such general statements on the role of hierarchical values, many of my informants gave examples of just how influential these values can be. Perhaps the most striking of these examples was that of "*Oknha*". *Oknha* is a legal title that is conferred on someone who has contributed funding to the Government and is a powerful one when doing business (Dr Meas Nee, Village Focus International (VFI) 29.11.06). When payment has been made the person is then registered as *Oknha* with the Cambodian Council of Ministers (Press informant: 28.11.06). It is a title that is both feared and respected, a title that confirms one's standing as a person of influence and connections. Another of my informants from the press was even more forthcoming on how the title of *Oknha* was utilized. *Oknha*, he claimed, was a licence to exploit less powerful officials and citizens. "If police or rangers are told that a timber truck belongs to an *Oknha* they will demand only a small fee to let it pass. They would never dare to stop it for fear of losing their job" (ibid: 28.11.06). The assertion here is that *Oknha* actively use their position to intimidate those who get in the way of their business dealings. The example shows that powerful members of Cambodian society can use their power to avoid paying the high monetary costs of corruption. It demonstrates that established hierarchical trappings may be used to instil fear into lower ranking officials and that this fear may inhibit their ability to fulfil their duties. On top of this we are able to appreciate how *Oknha*, acting as patrons, may extend their protection to clients engaged in illegal logging activities, thereby making sure that their overheads (read bribes paid) are kept in check and that the risk of being detained is minimal.

This chapter has attempted to locate the patron-client relationship within a wider hierarchical framework. Studies of Cambodian history as far back as the Angkor period demonstrate the resilient nature of Cambodian hierarchy, and its ability to manifest itself in a variety of different forms. In addition, many of those I

interviewed or had informal discussions with in the course of my fieldwork, confirmed that hierarchy in Cambodia was a significant factor in contemporary Cambodian society. In particular, observations on the weight hierarchical status is able to exert on lower ranking officials are vital to this thesis, and its bid to comprehend the links between patron-client relationships and corruption in the Cambodian forestry sector.

5. The State of Play

So far, this thesis has attempted to lay the theoretical and methodological groundwork for an analysis of patron-client relationships and corruption. An attempt has also been made to place patronage within a broader hierarchical frame work. This chapter will attempt to build on these foundational discussions, by examining the changing faces of state and society in Cambodia. It will trace political developments in Cambodia from the beginning of the Khmer Rouge regime in 1975 and up to the present day, and demonstrate that systematic corruption and patronage have flourished during this period. Interestingly, patronage has arguably been more successful than official state practices at generating revenue and protecting the interests of the actors involved.

5.1 The Khmer Rouge and the deconstruction of society

On April 17 1975, the first units of the Khmer Rouge rebel army rolled through the main streets of the capital Phnom Penh. Firsthand reports tell of lines of teenage soldiers marching single file, dressed in black with sandals cut from tires (Kamm 1998: 121). Many of the 2 million strong population of Phnom Penh (the number swelled by internal refugees) greeted the forces enthusiastically. The city had been under blockade and bombardment for months, food was short and in the last days of the US backed Lon Nol regime, thousands of children had literally starved to death. Finally, it seemed, the civil war was over. However, it took no more than a day for the inhabitants of Phnom Penh to realise that the Khmer Rouge were no average band of rebels. In later years spokesmen for Democratic Kampuchea (the somewhat ironic name of the new Khmer Rouge controlled Cambodia) would boast that on April 17 1975, two thousand years of Cambodian history came to an end (Chandler 1991: 236). So it must have felt for the inhabitants of Phnom Penh during the first days of the new regime. By lunchtime

of the first day hospitals were being emptied and before long it was the turn of ordinary townspeople and refugees (Shawcross 1986: 367). Within a week the entire population of Phnom Penh had been evacuated and forced to walk into the countryside. These “new people”, as those from the capital were termed, were sent to work in vast camps where food was inadequate and work days of 16 hours were not uncommon. Conversations I have had with survivors of the regime tell of constant hunger, the outlawing of religion, the disintegration of family life and summary executions for people who fell out of favour or dared to question orders (Informal conversations March-June 2000, Phum Veal village).

The four years that followed were among the most significant in Cambodia’s history for a number of reasons. Estimates put at 1.5 million the number of Cambodians who died from malnutrition, overwork and disease. Another 200,000 are thought to have been executed as class enemies. Overall, one in five Cambodians died as a result of the regime (Chandler 1999: 1). This was genocide, a collective nightmare that continues to reverberate through society. In addition to the trauma induced by such mass mortality, was the wholesale deconstruction of Cambodian society. Akin to Joseph Goebbels campaign of “Total War” towards the end of World War Two, this was “total revolution” on a scale never before implemented. Every pillar of Cambodian society was systematically dismantled in the Khmer Rouge’s bid to establish a classless collective society. Monks and the educated elite were executed, pagodas and banks were razed and even money was abolished. As Chandler writes

“village Buddhism, shared experiences, leisure, patronage and family loyalties had served for centuries to mediate violence and injustice and to explain suffering and disorder. Under DK, familyism, individualism, private property, personality and vanity and feudal religious practices were all renounced” (Chandler 1991: 243)

Children were encouraged to inform on their parents and many teenagers under 18 were given positions of responsibility, for example in the notorious torture prison Toul Sleng (S-21) as guards (Chandler 1999: 33). In this way the Khmer

Rouge managed to overturn the hierarchical ideals discussed in the previous chapter, ideals that had been in place for hundreds if not thousands of years. People were forced to live in a way completely foreign to them and to swear allegiance to the almighty Khmer Rouge party organisation “*Angkar*” that now looked after their every need. On the whole, the Khmer Rouge regime that came to an end with a Vietnamese backed invasion in December 1978 was a massive social experiment, one that failed dramatically to meet even the most basic needs of the population.

5.2 Patronage and state construction

The scale of the challenge facing the new Vietnamese supported People’s Republic of Kampuchea (PRK) is difficult to overstate. 1979 was a year marked by mass movements of people and the explosive growth of refugee camps along the Thai border. Amid the disorder, most of the 1979 rice crop went untended and by the middle of the year famine had broken out (Chandler 1993: 229). In early 1980, well over a year after the fall of Pol Pot, Cambodians were still “crisscrossing the country in search of missing family members, or a place to settle down or simply something better than what they had” (Kamm 1998: 192). It is against this bleak background of internal displacement, hunger and the tentative repopulation of the capital, that the leaders of the PRK began building a new state administration from scratch. Unfortunately the Khmer Rouge had literally left nothing behind.

“In the starkest physical terms, the lack of functioning ministries required that each minister and his staff scout the city for a proper physical site, negotiate with Vietnamese officials for each office building, hire crews to clean up long abandoned buildings... and send staff out in search of chairs, desks pens, paper, typewriters and other supplies” (Gottesman 2003: 50)

However, once the most elementary physical problems were overcome, the PRK faced what undoubtedly was to be their most serious problem. The Khmer Rouge's extermination of civil servants had nearly erased a National memory of how government worked (ibid). Although the ministers and bureaucrats who staffed the civil service had been given some training in Vietnam, they had no practical experience in running Government departments. As a result the PRK plunged into an administrative stupor. This unsatisfactory situation was further exacerbated by the hiring practices adopted by the new ministries. "With all of Cambodia impoverished and with no salaried work outside the civil service, the priority of ministers and staffs was not policy or planning but the distribution of positions to family and friends" (ibid: 51). Hence from the very start of Cambodia's rebuilding process, patronage was an integral way of constructing a new administration. Initially as a way of providing for impoverished relatives, later as a way of establishing personal power bases in a shifting political and ideological landscape. Indeed, one of the most distinctive features of Cambodian politics after the Khmer Rouge, is the endurance of many of the early PRK leaders and the stability of the ruling elite. The examples of Chea Sim and Hun Sen in particular, illustrate how essential patronage has been to actors within the Cambodian state apparatus. Both men have occupied key roles in all of the administrations since 1979 and as President of the Senate and Prime Minister respectively are currently the two most powerful men in the country.

Chea Sim, former Khmer Rouge Eastern Zone district chief fled to Vietnam in 1978 during one of Pol Pot's many purges. As Minister of Interior in the PRK administration, he helped the Vietnamese recruit former Khmer Rouge members, while at the same time developing a personal patronage network in the provinces and in the security apparatus (ibid: xxii). By 1981 he had appointed hundreds of police, prison officers, interrogators and other security officials, loyal subordinates whom Cambodians referred to as Chea Sim's *konchau* (literally children and grandchildren). These clients assured his continued relevance even

when, in June 1981, he was removed from the Interior ministry and assigned a ceremonial role as president of the National Assembly (ibid: 122). Chea Sim continued to promote other family members and associates, to such effect that his status in 2007 as the most powerful man in Cambodia alongside Hun Sen is assured. According to Ngy San of NGO Forum, not only is Chea Sim President of the Senate, but also leader of one of the two main factions within the ruling CPP (Ngy San: 29.11.06). Ngy explained that these two factions are rival patronage networks which are often played off against each other. When talking about illegal logging he explained that

“If I am a provincial Governor and Hun Sen says to me ‘I will dismiss you, remove you’, then I will go to my patron Chea Sim. He will then talk to Hun Sen and convince him not to take any action. Hun Sen thinks it is better to close his eyes then to have a conflict with the president of the Senate. I think this happens a lot” (Ngy San: 29.11.06).

Thus Chea Sim’s extensive patronage network not only helps him to maintain powerful positions, but also ensures that senior officials involved in illegal logging are protected at the highest levels of Government. Interestingly, Military Chief of Staff Keo Kimyan was also named by Ngy as a senior member of Chea Sim’s faction. Keo is identified in the Global Witness report “Taking a Cut” as the recipient of illegally obtained forested land along National Route 4 (Global Witness 2004 (a): 24).

The other great survivor and patronage builder in Cambodian politics is Prime Minister Hun Sen. A former Khmer Rouge officer who also defected to Vietnam, Hun Sen became Foreign Minister when the Khmer Rouge were overthrown and the world’s youngest Prime Minister in 1985. He was able to take advantage of these positions to appoint numerous deputies and assistants and build an extensive patronage system within the central bureaucracy (Gottesman 2003: 134). By the time he became Prime Minister, Hun Sen was well on the way to building a formidable administration. The state turned into a sprawling network

whose members adhered to the rules of patronage (ibid: 211). Hun Sen was able to utilise this network to great effect during the 1990's power struggle with FUNCINPEC. The above two examples demonstrate that the more adept officials are at nurturing patronage systems, the more powerful they become. Both Chea Sim and Hun Sen were and are pragmatists, who understood that in an uncertain political setting, the most effective way to build influence is through extensive personal alliances. In this way, patronage became the internal logic that drove the state forward as a revenue generating machine.

5.3 Civil War, UNTAC and State Capture

At the same time as Chea Sim and Hun Sen were laying the foundations for lasting political power, there were no fewer than three rival factional groups, all armed and willing to fight for control over the country. The Khmer Rouge, still led by the infamous Pol Pot, had fled into the jungle along the Thai border and used bases there to wage a guerrilla war on the PRK. The other two factions were the Khmer People's National Liberation front (KPNLF) and FUNCINPEC led by Prince Sihanouk . These three factions, under considerable external pressure, established the Coalition Government of Democratic Kampuchea (CGDK), an alternative Government in exile that received aid from China, Thailand and the (Vietnam sceptic) West. This coalition was also permitted to occupy the Cambodian seat at the United Nations (Findlay 1995: 2). Fighting between the CGDK and the PRK continued throughout the 1980's until diplomatic initiatives were stepped up towards the end of the decade and Vietnam withdrew her forces in 1989 (ibid: 3).

On 23 October 1991, the Paris Peace Accords were signed by all four factions. Under the accords the factions were required to uphold a ceasefire, deny all external military assistance and disarm and demobilize their forces. In addition, the UN would impose its authority over Cambodia, until such time as free

elections were held and a new democratically elected government took office. This United Nations Transitional Authority in Cambodia (UNTAC) was an ambitious undertaking by the UN, as its mandate exceeded any previous UN peacekeeping operation. Interestingly, even at this early stage of reconciliation, some observers claimed the entire UNTAC project was doomed to failure because of so called “abiding cultural factors” (ibid: 21). Lizée in agreement with French (discussed in Chapter 2) identified a “deep mistrust toward any institutionalization of politics” (Lizée 1991: 141). He argued that “the importance of patronage and the family network and the absence of a public sphere in the Cambodian psyche would impede the development of political participation and legitimacy” (ibid). Such comments are important; as they emphasize the influence informal alliances like patronage are seen to play in state development. Here Lizée points out that not only do patron-client networks thrive because of weak states (as Migdal claims), but also that their very existence hampers development. In other words patron-client relationships are not only reactive but proactive. They have the creative ability to produce conditions which are favourable to their own growth and to hinder the production of processes and institutions which would limit their influence. If this is indeed the case it is not surprising that patron-client relationships have remained relevant in Cambodia, simultaneously feeding off and creating instability.

Despite the scepticism expressed by observers such as Lizée above, UNTAC worked towards holding multi-party elections for a National Assembly in 1993. After much uncertainty and military threats from the Khmer Rouge (who boycotted the process in order to continue their armed struggle), elections were held in May 1993. Many observers were surprised both by the high voter turnout (89.5 %) and the support for parties other than the dominant CPP, who managed only 38% of the vote (Findlay 1995: 84). The UN concluded that

“In view of the absence of violence or disruption during the polling, the success of the technical conduct of the poll and the calm and peaceful atmosphere that

reigned throughout the polling period, the conduct of the poll has been free and fair” (UN Secretary General in UN Chronicle 1993: 1)

Thus it is possible to argue that the general populace proved themselves to be less sceptical towards institutional processes than was previously imagined. 89% electoral participation, in an orderly, non violent fashion, may be interpreted as a conscious show of faith in a process that many Cambodians had never before experienced. However, while such arguments are possible on behalf of the wider population, the country’s political elite demonstrated a markedly different attitude. In the aftermath of the election, Prince Sihanouk attempted a constitutional coup by seeking to form a Government of his own, and the CPP alleged that a conspiracy of election fraud had deprived them of victory, an allegation that on investigation proved to be baseless. Eventually a power-sharing agreement between the CPP and FUNCINPEC was reached, where the country would have two prime ministers, Hun Sen (CPP) and Prince Rannaridh (FUNCINPEC).

At this point in history Cambodians could be forgiven for being optimistic about the future. For the first time in its history, a democratically contested election had produced an agreement between the two most powerful political parties in the country, parties who together had received over 80% of the vote. Assistance from the West poured in and a new constitution promised market economics, parliamentary democracy and respect for human rights (Gottesman 2003: 351). However, the old power structure was still in place, and neither Prince Ranariddh nor Hun Sen were eager to incorporate the principles of the new constitution into legislation. Pluralism in Cambodia did not evolve into a democratic exchange of ideas, but into a tenuous compact among competing patronage systems (ibid: 353). One of the most notable early victims of this situation was Finance Minister Sam Rainsy. When Rainsy complained about corruption and unaccountable timber deals within the forestry industry, he was forced to stand down in October 1994 and was ousted from FUNCINPEC and the National Assembly the

following June (ibid). Thus the only high ranking official willing to work towards transparency, and against patronage and corruption, was quickly silenced.

While based on election results, FUNCINPEC should have been the senior partner in the coalition, the reality was quite another. The CPP was Cambodia's most powerful political party, both in terms of finances and organisation. It had a vast network of army commanders, police chiefs and governors, most of whom had fought alongside Hun Sen in his battle against the Khmer Rouge. These powerful provincial figures were hand picked by Hun Sen and they remained loyal to him (Mehta and Mehta 1999: 112). Within the bureaucracy, civil servants continued to answer to CPP officials rather than to FUNCINPEC ministers. In the provinces, CPP commune chiefs, police officers and clerks simply ignored FUNCINPEC governors (Gottesman 2003: 352). This unbalanced power sharing finally came to an end in July 1997, when forces loyal to Prince Rannaridh and Hun Sen clashed violently in the capital. Rannaridh's forces were quickly defeated and the Prince was forced to flee the country, leaving Hun Sen as Cambodia's undisputed leader.

5.4 1997-2007 Consolidation of power

Since the violence of 1997, the CPP has gradually consolidated its position as the leading political party in the country. Many observers would no doubt say that this is understating the point and claim that the CPP now has an authoritarian stranglehold on the political arena in Cambodia. Indeed, there seems to be little doubt that extensive patronage networks that include members from all sections of society (the police, the military, business and the judiciary to name just a few), have provided the CPP with the administrative and financial clout required to buy election victories and to stifle political opposition. In his assessment of developments in contemporary Cambodian politics, Heder describes the CPP dominated state as a "maze of patronage, corruption and repression" (Heder

2005: 114). The CPP won the national elections in 1998 and 2003, though on both occasions there were numerous allegations of intimidation and violence by CPP officials. During the 2003 campaign, Human Rights Watch found that village and commune chiefs, most of whom were members of Prime Minister Hun Sen's CPP, threatened opposition party supporters with violence, expulsion from their villages, and denial of access to community resources. The threats ranged from being rejected for village rice distributions to having land confiscated for voting for the opposition. Intimidation was directed at political party members, local activists, and voters (Human Rights Watch 2003: 1).

Today the situation is similar and allegations of coercion, corruption and patronage abound. Human Rights Watch claims that there have been many cases where authorities have threatened, attacked and arrested villagers opposed to land confiscation and logging (Human Rights Watch 2007: 2). During my fieldwork, many NGO's expressed concern about a recent trend of political violence ahead of commune elections in April 2007 (Yun 2006: 22). One of my informants expressed the view that corruption within Government had moved from a stage of "corruption for survival" over to a new phase of systemic corruption, where corruption was so entrenched that individuals within the system had the ability to protect each other's interests (Dr Meas Nee VFI: 29.11.06). This protective ability means that processes within government departments are compromised, a clear sign that corruption has become systemic. Another informant stated that "the patronage system is meshed with the state" (Anonymous informant: 01.12.06), a claim that only serves to highlight the potential patronage has to stunt the development of impartial state institutions.

Many observers today see Cambodian politics in general and the CPP in particular, as being governed primarily through patron-client relations and other personal alliances. Keo Kim Hourn maintains that the patron-client relationship is still very much alive and can be seen as a hallmark of Cambodian political culture (Hourn in Roberts 2002: 527). The governing CPP is currently a powerful and

feared actor on the Cambodian political stage, having used patronage to consolidate its grip on the apparatus of state. Instead of accommodating other parties after the resumption of electoral democracy in 1993, the CPP sought to preserve their own positions and those of their clients (Roberts 2002: 527). It is within this political climate that Cambodia's prodigious natural resources are managed. Forestry and district officials on all levels are often part of patronage relationships and this affects the decisions they make. The next chapter will look specifically at the forestry sector. It will examine developments within this sector and take a closer look at the state departments responsible for forest administration.

6. Fuel to the fire; Forestry in a historical and political perspective

This chapter will look more closely at developments in the forest sector and in the governing bodies (in particular the Forestry Administration and the Ministry of Environment) that manage forest resources. While the Royal Cambodian Armed Forces (RCAF) is also involved in forest management, its actions fall outside the main focus of this thesis. Issues of security and access have meant that the empirical evidence gathered pertains mainly to the state agencies mentioned above. Developments within the forestry sector have been heavily influenced by the unstable political climate that has persisted in Cambodia over the past four or five decades. This instability, and the status of the forest as a rare and valuable economic resource, have contributed to the strengthening of patronage networks and the associated spread of endemic corruption. The forest as an unprecedented source of income is seen to have fuelled the growth of faster, more aggressive, expansive and exploitative patronage systems, or, as one informant colorfully put it, “patronage on amphetamines” (Davis, Global Witness: 18.10.06).

In 1991, the year of the Paris Peace Accords, Cambodia’s forest cover was estimated at 60%. Ironically, decades of war and a total lack of rural security had actually preserved the forests from internationally supported industrial activity (Inspection Panel 2006: xv). Since around this time (1989 to be precise) 10 million cubic meters of timber, representing a value of US\$ 2.4 billion have been exported from Cambodia. Despite this massive revenue, only about 120 million USD found its way into the public treasury, a fraction of the income that could be expected (LeBillon 2002: 565). Some observers, clearly surprised at the scale of logging operations, have gone so far as to describe this logging period as “anarchic” (Chandarith 2004: 46). However, while undoubtedly much of the logging activity and deals cut were blatantly illegal, anarchic is perhaps not the most accurate description of the situation. Much of the anarchy denounced in

official reports, consisted in fact of informal arrangements that linked businessmen, the military, forestry bureaucrats and politicians (LeBillon 2002: 570). In other words, while the results of illegal forestry activity (clear cutting of concessions, land grabbing and unregulated export) gave the impression of anarchy, the underlying causes of these activities were highly organized, reciprocal and personal business arrangements. The impression of anarchy arises from the fact that these arrangements were unofficial and hidden, constituting what Reno calls “shadow state politics” or a system whereby political leaders informally control markets and their material rewards (Reno in LeBillon 2002: 564). So beneath the seemingly turbulent, unplanned carving up of Cambodia’s forests, lay a network of self serving, systematic and well managed relationships. Thus it is perhaps more correct to talk of the period after 1990 as one of systematic exploitation rather than one of anarchy.

After the elections of 1993 and the formation of a coalition government, foreign interest in relatively underdeveloped Cambodian forests grew rapidly. This interest and subsequent investment by Southeast Asian logging companies, led to the rapid expansion of the forestry sector. To understand the effect this expansion had on actors within the Cambodian state, it is vital to keep in mind the unique political situation of the time. As discussed above, between 1993 and 1997 Cambodia had two Prime Ministers, from two political parties, with two distinct power bases. While these parties (FUNCINPEC and the CPP) were officially in a cooperative coalition, their relationship was more of an arm wrestle than an embrace. The compromise of coalition was far more oriented towards building private power bases rather than independent state institutions, which could potentially become obstacles or rivals to their personal power and the interests of their followers (LeBillon 2002: 568).

It may be important here to reiterate just what state institutions represent. They are in effect monuments to common understanding. They are agreement as to the rules of the game. Without such agreement there can be little trust between rival

political actors and thus little incentive for party leaders to go out on a limb. Weak institutions and suspicious, opportunistic politicians are complementary phenomena. Accordingly the two Prime Ministers used a significant part of the revenue obtained from logging to build their own personal networks, both in the private sector and within the apparatus of state. This co-existence of two parallel networks within a single space led to “a further erosion of formal governance” (ibid: 569) Here Cambodia found itself in an unenviable position. Democratic competition and unprecedented natural resource flows encouraged the growth and influence of patronage networks. An already immature state apparatus was further undermined and the development of autonomous state institutions was inhibited. To make the situation even more complicated, the Khmer Rouge was busy taking advantage of heavily forested land under its control to illegally export timber to Thailand, thereby generating the finances needed to continue its’ military struggle. In response and in addition to the alliances already discussed, the Government allowed a complex chain of networks dominated by the military to take control over sections of forest in order to finance the war (Chandarith 2004: 60).

This situation, of governance through rival patronage networks, resulted in a number of effects. First, the number of actors involved in logging operations increased. A number of large foreign and national companies obtained logging concessions and export licenses and other domestic actors such as farmers and demobilized soldiers moved into smaller scale operations. In short forests became a place where money was made (LeBillon 2002: 573). Second, the rate of deforestation increased dramatically. Many concessionaries did not fulfill their official mandate to conduct sustainable logging operations, generating instead maximum profits in minimum time. One of my informants who worked in the Forestry Department (Now Forestry Administration) in the 1990’s claimed that 30 year concessions were logged within 5 years and that although regulations often stipulated the cutting of only 30% of the trees in a given area, many

companies cut 70% (Anonymous informant: 29.11.06). Finally, and perhaps most strikingly, the Government was reduced to a fragmented and corrupt rent seeking organization. Forest concessions were distributed on the basis of patron-client alliances and were “confidential, top secret and outside the normal circuit of decisions” (LeBillon 2002: 568). Top officials used their public positions to sustain private networks the result being a parallel shadow state where revenue flowed into private pockets instead of state coffers.

Not surprisingly these developments in the Cambodian forestry sector throughout the 1990’s did not go unnoticed. Both multilateral organizations and NGO’s alike expressed concern as to the sector’s unregulated nature. USAID, the development arm of the US Government, characterized the period after the Paris accords as “a hybrid system of predatory market economics and authoritarian control” (USAID 2004: 2). Seen in this light, the granting of concessions by the Royal Government of Cambodia (RGC), was in effect an unholy alliance between free market principles of privatization and authoritarian principles of the consolidation of power. In this alliance, privatization is taken out of its usual competitive market context and exploited as a means of gaining control over state assets. Patronage links, not competitive bidding procedures, decide which private actors may assume control over state processes. The result according to USAID is state capture (*ibid*), the appropriation of independent state processes and institutions by a powerful elite.

Similarly, other actors also reacted strongly to what they saw as endemic corruption within the forest sector. In 1996 the IMF took concrete action and cancelled part of a loan provided to the RGC (Global Witness 1997). British based Global Witness, later to become official forest monitor, was perhaps the RGC’s most vocal critic. In their report “Chainsaws speak louder than words” from May 2000, Global Witness demanded a moratorium on all concession activity and the termination of all concessions that have committed serious contractual breaches, especially with regard to illegal logging (Global Witness

2000: 1). No fewer than 15 Cambodian and International companies are listed in the report as having committed such breaches. At the end of 2001, following pressure from such organizations, low tax revenues, and the failure of many concessionaries to provide management plans, Prime Minister Hun Sen suspended all concessions (LeBillon 2002: 577).

The situation from 2002 up until the present day has been characterized by uncertainty. The concession system remains suspended, though many companies were given the right to export logs that had already been cut (Anonymous informant 29.11.06). The majority of timber production in Cambodia today comes under the framework of “Economic Land Concessions” (ELC’s). These ELC’s are often given to sizeable private companies and involve large tracts of land and long lease times of up to 70 years with an additional right of extension (LICADHO 2005: 2). They are part of a new land law ratified by the RGC in 2001 and are highly controversial. LICADHO claims that ELC’s are governed by little legislation, which in any event, is largely ignored (ibid). In support of such claims, Mike Davis of Global Witness alleged that “there has been quite significant forest clearing in the name of ELC’s” (Davis, Global Witness: 18.10.06). Sometimes, he said, the motive was not to develop the land economically at all but simply to get the timber (ibid). In addition to Economic Land Concessions, the Forestry Administration is in the process of creating a new system of logging permits called Annual Bidding Coups (ibid). This is a procedure whereby companies can bid for permission to log an area of forest for one year only. It is thought that this practice could replace the concession system as the primary means of managing the Cambodian logging industry (WGNRM: 2004).

Compared to the massive logging operations of the 1990’s, activities in 2006-2007 were seen by many of my informants to be relatively small scale. The majority of the prime, accessible areas of forest are simply logged out. However, this is not to say that illegal logging has ceased to be a substantial problem.

Cambodia's protected areas are under increasing developmental pressure and multiple smaller illegal logging operations are a significant threat to the sustainability of Cambodia's remaining timber reserves. Thus it is appropriate to turn our attention to the Government organizations currently charged with managing forest resources.

6.1 The Ministry of Environment (MoE)

The Ministry of Environment (MoE) was established in 1993 with a broad mandate of promoting environmental protection and conservation of the National natural resources (Hun Sen 2001). When asked to elaborate on the role of the MoE, Chor Tanath, a senior official from the Ministry, explained to me that its main duty was to oversee 3 million hectares of protected areas. These areas comprise both National parks and Wildlife sanctuaries. (Chor: 01.12.06). Forest outside these protected areas comes under the jurisdiction of the Forestry Administration (to be discussed later). Other Government departments are required to obtain permission from the MoE, before any development within protected areas takes place (ibid). While at first glance this seems to be a wide reaching and powerful mandate, closer inspection reveals a number of clear legal and practical limitations on the functioning of the Ministry. The Law on Environmental Protection and Natural Resource Management states that

“the Ministry of Environment, in collaboration with concerned ministries shall conduct research, assess the environmental impacts on natural resources, and provide the concerned ministries with recommendations to ensure that the natural resources as specified in article 8 are managed in an environmentally rational and sustainable manner....the concerned ministries shall consult with the MoE about the sustainability of natural resources” (MoE 1999: Chapter 4, Article 9 &10)

Here the law requires “collaboration” “recommendations” and “consultation”, yet stops short of enabling the MoE to sanction development initiatives within

protected areas. The Ministry does have rangers charged with safeguarding these areas from other illegal activity but, as later examples will show, the ability of these rangers to enforce forestry law is often limited. The impression of the MoE as an advisory body, with little real power to resist development initiatives from other ministries (or to stop other illegal activities), was reinforced by many of my informants. One of these informants described the MoE as a “weak body who doesn’t have the money to equip staff or even provide enough food for rangers on duty” (Anonymous informant 23.11.06). Mike Davis of Global Witness also characterised the MoE as a “very weak ministry” and “a sort of composite of donor funded projects” (Davis, Global Witness: 18.10.06). This perceived weakness was partly attributed to the fact that the MoE has a purely protective role within protected areas and therefore is not able to generate the same sort of income as for example the Forestry Administration. In addition I was reminded that the MoE is a relatively new Ministry and as such lacks the institutional capacity of other agencies (Anonymous informant 23.11.06). To support these assertions of weakness the following examples were provided.

“There have been cases where we have raided a sawmill and arrested managers and operators, prepared court cases, sent them to court and within 24 hours, the director of the Wildlife sanctuary or court officials received angry phone calls from high ranking military officials or politicians, making threats and accusing the MoE of acting beyond their station” (ibid)

In such cases, court officials in collusion with the MoE would go soft on the accused, try them quickly and give them a light or suspended sentence or release them on bail and then never follow up or set a trial date (ibid). Not only are these cases prime examples of institutional powerlessness, but also of how patronage relationships function in practice. Here sawmill managers, who are clients of powerful political figures, are able to call on their patrons for assistance in times of need. The patron then exerts political pressure on the MoE and the courts, to ensure a favourable and relatively painless outcome for the client. This means

that even if a financially weak MoE manages to scrape together the funds to raid illegal operations and proceed with legal action, patronage ties have the ability to scuttle the entire operation with one well placed phone call. As will become obvious in the following chapters, these cases are far from isolated occurrences.

In terms of corruption within the MoE, the picture my informants presented was relatively consistent. As already mentioned the MoE has no legitimate taxation or fee collecting function. Such functions make it easier to disguise illegal activities behind a legal veneer. Instead its job is the management of protected areas and therefore scope for illegal revenue collection is limited (Anonymous informant 29.11.06). Corruption within the MoE was most often described as “corruption for survival”, small scale payments made locally to rangers by illegal loggers (ibid). This is a far cry from the systematic, patronage based corruption that is the main focus of this thesis. The MoE, it seems, derives few benefits from patron-client relations in the forestry sector. Its’ inability to generate significant illegal revenue, means that the capacity for patronage based corruption within the Ministry is limited. The main effect of patronage on the MoE is a negative one. Patron-client relations further reduce the already weak ability of the MoE to enforce forestry law. Its officials are not powerful enough to stand up to political patrons in other more influential positions, and so their initiatives are often rendered ineffective.

6.2 The Forestry Administration

Previously known as the Department of Forestry and Wildlife (Mike Davis: 18.10.06), the Forestry Administration (FA) is a Government department under the Ministry of Agriculture, Forestry and Fisheries (MAFF). The FA has clear authorization regarding the administration of the productive forest sector in Cambodia. This is to say that the FA is in charge of all forest outside of the protected areas managed by the MoE. They are responsible for the preparation of

forest and wildlife inventories, enactment of laws and regulations for the management of forest resources and the inspection of forest exploitation, forest by products and wildlife (MAFF 2007: 1). The FA's own mission statement states that "the main objective of the FA is to ensure the sustainable management of forests in the country" (FA 2007: 1). To achieve this goal, the mission statement highlights the need to ensure effective forestry law enforcement, to implement the National Forest Management Plan and to actively assess the boundaries, classification and demarcation of forests (ibid). In other words, the FA has a broad mandate to manage and monitor activities in and around Cambodia's forests. Through a network of inspectorates, cantonements, divisions and triages (in descending order of size and importance), the FA maintains a presence in all corners of the country. This presence is often in the form of logging checkpoints, which monitor the movement of timber along roads out of forested areas.

As well as being a forestry organisation with significant legal and organisational clout, the FA is also the department most often accused of widespread corruption. Critics of the FA don't mince words. Mike Davis of Global Witness described the FA as "particularly corrupt" and their role as "very problematic indeed" (Davis, Global Witness 18.10.06). Graeme Brown, Ratanakiri coordinator from Community Forestry International (CFI), claimed that "we know that the Forestry Administration is doing a lot of the logging" and that "in Ratanakiri at least, they (the FA) are a forest removal administration" (Brown, CFI: 27.11.06). In addition, Brown alleged illegal cooperation between the FA and military and police units, saying that these units cut prime sections of the forest with the protection of the FA (ibid).

These serious allegations of corruption were collaborated and expanded on by another informant, who had been employed by the Department of Forestry and Wildlife (forerunner to the FA) for a period of 8 years. Firstly this informant made claims regarding the recruitment of new officials to the FA. He said that

since around 1996, jobs in the FA were allocated on the basis of patronage connections. He therefore confirmed an allegation made by Mike Davis, that when the organisation was restructured from being a Department of Forestry and Wildlife (DFW) to the FA in 2003, everybody was required to buy new jobs even if it was the same job they were doing.

“With the job auction people wishing to buy posts in the triage level went and paid the Director General of the FA, Ty Sokhun. People buying positions in the next three up, the division, the cantonment and the protectorate had to pay the Minister of Agriculture, (Forests and Fisheries)(ibid). (Davis, Global Witness: 18.10.06).

Estimates on the cost of jobs range from 3,000 to 20,000 US dollars, depending on the seniority of the position (ibid).

Secondly, the informant described in detail a process of systematic, patronage based corruption in the FA’s revenue collection activities. He explained that many FA officials lived in Phnom Penh, but were stationed for short times (a month or two), in the provinces. When it comes to revenue collection from FA checkpoints, some provinces are of course more lucrative than others. Posting to the most sought after provincial checkpoints was, he said, dependent on connections to powerful patrons. When a FA official is posted to a checkpoint position, he is expected by his patron to generate both legal and illegal revenue from logging activities. Patrons then collect their share of the illegal income. If this expected money is not forthcoming, the official will be demoted to a less lucrative position. The amount of money demanded by patrons depends on their connection to the official. If there is a close relationship (for example if the two have family ties) the payments demanded will be less than if there is no such connection. That being the case “the more money paid, the closer the connection becomes” (Anonymous informant 29.11.06).

Finally, in addition to these general allegations, the informant also gave concrete examples of how illegal revenue was produced. One such example concerned the suspension of the Concession system in 2002. When the system was suspended, companies were given the legal right to transport a quantity of timber already cut. This was generally a small amount of up to 500 m³. Many companies however officially transported 50m³ at a time, while another 300m³ from an adjoining area *unofficially* accompanied it. The paperwork said 50m³ whereas the actual amount was 350m³. Payments were made at FA checkpoints, the logs were allowed to pass, and everybody involved made an illegal profit (ibid). A few simple calculations reveal that companies pursuing this practice had the potential to transport 3500m³ of timber after their concession had been suspended, 3000m³ more than the legal limit. This example illustrates how easy it is for organisations with a legitimate, fee collecting function, to disguise illegal activities behind a legal veneer. The informant made it clear that he saw this type of corruption as an entrenched system and that there were many people getting rich as a result of it (ibid).

The examples given by informants above indicate a culture of systematic, patronage based corruption within the FA. In addition, informants have indicated that the FA as a powerful and exploitative forestry organisation is a relatively recent phenomenon. Just how the FA was able to evolve from “a benign weakling among institutions of state, to a muscular rent seeking machine” (Davis, Global Witness: 18.10.06), becomes clearer when one takes a closer look at the administration’s current leadership.

Ty Sokhun was made director of the then Department of Forestry and Wildlife in 1998 (Global Witness 2004 (b): 1). According to a well placed informant within the NGO community, this appointment caused a great deal of confusion. Before his appointment as head of the department, Ty Sokhun had been a student at the Royal Agricultural Institute. He was young and inexperienced yet managed to leapfrog all other contenders for the job, including department deputies

(Anonymous informant 29.11.06). My informant alleged under guarantee of anonymity, that the reason for Ty Sokhun's surprising rise to prominence was his connection to a prominent timber exporter Chhoeung Sopheap (ibid). Chhoeung Sopheap, commonly known as "Yeay Phu" or "Mrs Phu", owns Chang Fu flywood factory on National Road 1 in Phnom Penh. The factory exports raw, unprocessed timber to Hong Kong and China. Although export volumes now are significantly lower than what they were in the 1990's, the factory remains Cambodia's largest timber exporter (ibid). Not only does Mrs Phu own Cambodia's largest timber exporting factory but also the country's arguably most powerful company Pheapimex. Through its logging and economic land concessions, Pheapimex controls 7.4% of Cambodia's total land area and is engaged in a diverse array of interests from rubber plantations to Phnom Penh real estate (Global Witness 2007: 13). According to Global Witness' latest report, the name Pheapimex is synonymous with illegal logging (ibid: 76). The report goes on to claim that, even after the formal suspension of concessions in 2002, Pheapimex's Kompong Thom concession has become a centre for illicit sawmill operations run by military units and one of the company's subcontractors (ibid). In addition to these significant business interests both in and outside of the forest sector, Mrs Phu is a close friend of the Prime Minister Hun Sen's wife and her husband Lao Meng Khin is a member of the Senate (Anonymous informant 29.11.06).

After establishing Mrs Phu's prominent position among Cambodia's business and political elite, my informant went on to explain that she is also a relative of Ty Sokhun and that, after his graduation from the Royal Agricultural Institute, she supported his bid to be Director of the DFW. This allegedly made it easier for her to extract the timber she needed to keep her lucrative export business going. This connection goes some way towards explaining the rise not only of Ty Sokhun, but also of the Forestry Administration as a powerful actor within the forestry sector. My informant alleged that connections have not only afforded Ty Sokhun a

central bureaucratic post, but have ensured that the post itself is an influential one. The same informant also claimed that while by law Ty Sokhun is a subordinate of the Minister of Agriculture, Forestry and Fisheries, he rarely writes reports or informs the Minister of developments within the FA (ibid).

“If you look at patronage its not just money, also the position is patronage, you may be lower position in the order but the Minister is afraid to touch you. In the law you see he (Ty Sokhun) should report to the MoA but in reality he never report. Also regarding the appointment of lower officials at the regional and provincial level, Ty Sokhun decides on his own” (ibid)

Thus, according to the above allegations, patronage connections have been able to marry two unlikely bedfellows, the timber export industry and the Forestry Administration, ensuring in the process an informal merging of interests. Not only does this process of appointment run contrary to ideals of transparent governance, it has the potential to severely compromise the ability of the director of the FA to fulfil his job description. If the director of the FA owes his position to an influential member of the timber industry, it is highly unlikely he would be willing to take steps to curb that person’s interests. Indeed it is more likely that, if the situation arose, he would actively promote those interests, even if they contradicted official policy and practice. If the above allegations are true, then the leadership of the FA is severely compromised by informal and influential personal networks. Seen in this light it is hardly surprising that the FA has been widely accused of corruption and of failing to perform the duties allocated to it.

Throughout this chapter the aim has been to identify important historical events, political movements and government organisations that have had an impact on how patronage and corruption have developed. Actors interested in building patronage networks, seem to use all manner of frameworks to achieve their goal, from party organisations and bureaucratic systems, to business and family connections. Specifically, examples from within the FA demonstrate that once such networks are established they are actively used to manipulate decision

making among officials and, as a direct result, are able to generate informal flows of income. Recent history leaves little doubt that these income flows can have a significant impact on Cambodia's forests. As the next chapter will demonstrate, patronage remains a key influence on how forests are managed today.

7. Chasing the Dragon's Tail: A Case Study from Virachey National Park

In November 2004, a routine surveillance flight over the Virachey National Park in Northeast Cambodia, uncovered illegal logging in an area of the park known as the “Dragon’s Tail”. On board the plane were officials from the MoE, representatives from the World Bank and the then Governor of Ratanakiri province Mr Kham Khoeun (Anonymous informant: 27.11.06). Later estimates put the value of timber illegally removed and transported to neighbouring Vietnam at 15 million US dollars, over a period of 2-3 years (Brown CFI: 27.11.06). Glenn Morgan, one of the World Bank representatives present on the surveillance flight, characterised the logging as of “industrial and commercial scale with clear roads in and out of the area” (Morgan, World Bank: 28.11.06). On the 16th November 2006, seven Government officials were found guilty of involvement in the logging operations. One of them was former Governor Kham Khoeun himself, who was sentenced to 17 years prison in absentia for his role in the scandal. However of the seven officials convicted only one, Ratanakiri’s former provincial police Chief Youeng Baloung, is currently in detention (Prak 2006: 15). When pressed on the whereabouts of the other 6 officials the Phnom Penh Municipal Court Deputy Director Ke Sakhorn was reported as saying simply “I don’t know where they are” (ibid).

This chapter will trace developments in the “Dragon’s Tail” case in detail. The case was chosen because of its ability to shed further light on the patron-client relationship and its influence on corruption in forestry. While many of the actors are unique to the area around Virachey National Park, the processes and relationship patterns seen here are broadly representative of the country as a whole. As such the case affords an appreciation of the power patronage exerts on actors both inside and outside Government organizations. Before going further, it may be useful to provide background information on the protected area itself and

the ongoing environmental project most affected by what has been one of the largest illegal logging operations uncovered in recent years.

7.1 Virachey National Park

As stated above, Virachey N. P. lies in the far Northeast of Cambodia, spanning both Ratanakiri and Stung Treng provinces and covering an area of 3,325 km² (Department of Nature Conservation and Protection (DNCP) (a) 2005). Most of the region is covered by semi evergreen lowland forest, patches of deciduous forest and upland savannah (DNCP (b) 2005). The Dragon Tail area of the park where the logging took place, consists of a thin strip of land (resembling of course a Dragon's tail), and borders on Laos to the North and West and Vietnam to the East. Much of the park, including the Dragon Tail, is mountainous and often inaccessible, especially during the wet season. During the 1960's and early 1970's, the Khmer Rouge took advantage of this inaccessibility in it's ultimately successful guerrilla war against the Lon Nol Government in Phnom Penh. The famous Ho Chi Minh trail also traverses the park, and bomb craters and fox holes can still be seen in sections.

It is difficult to overstate the importance of Virachey N.P. to Cambodia and indeed to the entire region. The park houses a significant number of threatened species including the Tiger, the Clouded Leopard, the Yellow Crested Gibbon and the Sun Bear to name just a few (DNCP (b) 2005). In addition a number of ethnic minority groups, like the Kavet and Tampuon people, inhabit the area around the park and rely heavily on its natural resources. Forest gathering and hunting are critical to the survival of these local communities (DNCP (b) 2005). Not surprisingly, Virachey N.P. has also been identified as a potential tourist destination with possibilities for trekking, rafting and wildlife spotting. Thus the park may be said to occupy a position at the crossroads of a number of different interests, with all the advantages and disadvantages this entails.

7.2 The Biodiversity and Protected Areas Management Project (BPAMP)

The BPAMP is an environmental project, jointly funded by the World Bank, the Global Environment Facility and the RGC. The project, which began in March 2000 and is scheduled to run until December 2007, aims to sustainably manage protected areas in Cambodia. (The World Bank 2007 (b)). The Team leader of the BPAMP is Glenn Morgan from the World Bank and it is this organisation, with a commitment of 4.91 million USD (ibid), that has contributed the lion's share of the project's funding. Virachey N.P. fills a central role in the BPAMP as it has been identified as a pilot site. Here different initiatives are tested which, if successful, may later be adopted nationally. Virachey N.P. is in effect the guinea pig of National Park management in Cambodia, and since 2000 a range of initiatives have been tried, in the areas of park protection and management, community development, ecotourism, and information management (DNCP 2005 (a)). The flight which discovered logging in the Dragon Tail area in 2004, was a BPAMP protection and management initiative. Additional surveillance activities include 60 rangers based in 3 ranger stations and 9 outposts. These rangers make at least three foot patrols of 10-15 days every month, in order to check remote habitats and search for offenders (DNCP 2005 (b)).

What struck me most during my research into the Dragon Tail case, was the number of unanswered questions that arose. It seemed at times that the more I knew about the case, the less I understood it. How for example is it possible to conduct a 15 million dollar, industrial scale, illegal logging operation in a prominent National park? Granted the terrain is rugged, but this is a park where the MoE oversees 600,000 USD a year earmarked for surveillance activities (Anonymous media informant: 28.11.06). The BPAMP project these activities are a part of is, in effect, Cambodia's sustainable management showcase. How is it possible for such a project to falter at the first hurdle? Unfortunately the unanswered questions only multiplied. Why was the case pursued through the

court system when so many similar cases have been dropped or delayed indefinitely? Do these legal proceedings therefore represent a new era of sustainable management where offenders are actually tried and brought to justice? Yet, if this is the case, why is only one of the sentenced offenders in custody? How is it possible for a well known political figure such as Kham Khoeun to remain at large? Why has the ex governor not been arrested?

As research progressed and I made contact with more informants, I was provided with partial answers to some of the above questions. However, as with any investigation into illegal activity, the accounts I heard from “witnesses” sometimes converged and sometimes conflicted. The question that perhaps provoked the greatest range of responses was my initial one. How had illegal operations gone undiscovered long enough for loggers to export 15 million USD worth of timber? The official explanation, that is the one cited by MoE and World Bank representatives, rests on practical surveillance problems. When asked to explain why the logging hadn’t been discovered earlier, Chor Tanath of the MoE explained that

“Virachey N. P. is a very big area and very remote. This makes logging difficult to see. Also surveillance flights often run into trouble because of bad weather. That season wind and fog made it difficult to fly over the park” (Chor MoE: 01.12.06)

BPAMP leader Glenn Morgan’s account supplements that of the MoE. He said that although there were three or four rangers in the area at the time of the logging, their job was an extremely difficult one. Often, he explained, loggers were armed and or backed by the military and in such cases rangers were in a very vulnerable position. Also flights over the area the year before had he said shown no signs of illegal logging (Morgan, The World Bank: 09.12.06). These concurrent explanations seem to point to practical surveillance problems as the main obstacle to logging detection. They imply that the logging was a well concealed, unknown operation before its discovery in November 2004. However,

other informants provided a quite different version. Graeme Brown, CFI's Ratanakiri coordinator, claimed that there was no way Kham Khoeun could have been conducting such logging operations in a National park without "national people" knowing (Brown, CFI: 27.11.06).

The same media informant referred to on page 62, also questioned the explanations offered by the MoE and the World Bank. He claimed that defence lawyers for Kham Khoeun had wanted a lawsuit to be brought against the MoE as well. After all, he said, what had happened to the 600,000 USD a year allocated to surveillance activities? At the time of the logging, he claimed, there was only one ranger in the area (It Sath from an ethnic minority group), as opposed to the three or four in Glenn Morgan's account. It Sath told the court that he had not been given money for petrol to patrol the forests, and was subsequently acquitted of any wrong doing. During court proceedings, the MoE was also asked to provide a list over the 125 people responsible for overseeing the BPAMP project. The MoE promised to present such a list, however in the end it was never forthcoming (Anonymous media informant: 28.11.06). To further cast doubt over the explanations of the MoE and the World Bank, an informant from the NGO community claimed that Kham Khoeun was well-connected within the CPP and that it was these connections that provided him with the "cover" needed to continue with illegal logging activities. Former Minister of Defence and Commander of the Army Bou Thong was named specifically as Kham Khoeun's patron in the CPP (more on this connection later) (Anonymous informant: 07.12.06).

The conflicting versions outlined above are important, as they draw into sharp relief the dilemmas associated with investigating patronage and corruption. These phenomena are by their very nature unofficial, unwritten and under the surface. This thesis argues for the existence and importance of such links, not because they are officially tangible, but because they are the most probable explanation for a given set of events. The example above is an excellent case in point. Is it

most likely that these significant logging operations remained undiscovered because of bad weather, difficult terrain and frightened rangers? Or, is it more probable that the main reason the logging was able to continue, was because of support from powerful political figures?

This thesis finds it extremely unlikely that an operation of such magnitude, could go unnoticed in a National Park that has been afforded substantial funding for surveillance and development. The fact that there was only one poorly equipped ranger in the Dragon Tail area points to, at best, mismanagement within the MoE, at worst, a deliberate policy of under-inspection. That both the Governor and Police Chief of Ratanakiri province could be involved in such operations, without officials within the MoE being aware of it, is also improbable. An operation where roads are constructed over national borders and logs are transported on an industrial scale must be exceedingly difficult to keep under wraps. Graeme Brown claimed there were “lots of people on the ground who knew about it but were told to keep quiet” (Brown CFI: 27.11.06). Thus, if we are to answer the question of why it took so long to discover the logging, the most likely answer appears to be that it was being conducted by powerful local figures (Governor Kham Khoeun and Provincial Police Chief Youeung Baloung have both been convicted), who in turn are protected by an even more influential national patron (Bou Thong). In short logging was allowed to continue within the boundaries of the Virachey N.P. because of a potent mix of hierarchy and patronage.

This brings us to the next question which is why, if patronage links are as powerful as suggested by this thesis, was the case pursued at all? Why wasn't it conveniently dropped or delayed like so many other cases involving illegal logging? If patrons are powerful enough to delay detection for a long period of time, surely their influence should be great enough at least to hinder the MoE in their investigations. By all accounts this did not happen at all. The MoE was able to gather evidence and construct a case strong enough to ensure the conviction and sentencing of the accused. Indeed Glenn Morgan expressed great satisfaction

with the way the MoE had gone about the task of collecting evidence for the court case, saying that they had “done everything that could be asked of them” (Morgan, The World Bank: 09.12.06). He rejected what he said were unfair characterisations in the media of a mock trial, claiming that preparations for the case were extremely expensive and that a lot of people had risked their own personal security to construct a case against the accused (ibid).

While this may well be an accurate description, it still does not explain the motivations behind what for Cambodia was an unusually efficient process of prosecution and conviction. Why were people who had not previously been willing to risk their personal security to stop the logging, suddenly willing to take personal risks to prosecute the offenders? While no doubt the explanations for these events are multifaceted, the role of the World Bank surely warrants attention. Foreign aid amounts to as much as 50% of Cambodia’s national budget (Peoples Daily Online 2007). Since 1992 the World Bank has provided Cambodia with technical expertise, 659.2 million USD in loans and grants, and 99.7 million USD in trust funds, to support efforts to reduce poverty and promote economic growth (The World Bank 2007 (c)). There are currently 12 Bank-funded development projects are underway in Cambodia, among these the BPAMP. As such, the potential influence multilateral donors like the World Bank have on governance is enormous. In the Dragon Tail case, the logging discovered threatened the integrity of one of the bank’s pilot projects. If the bank’s main client the MoE was to retain the substantial funding and trust of the World Bank, assets essential to its governance agenda, they were of course expected to act decisively. Not to do so would be the MoE biting the hand that feeds it and clearly jeopardising future projects. These assumptions were supported by another of my informants who asserted that legal proceedings were initiated because of pressure from the International community and the World Bank, and that as a result “the Government didn’t have a choice” (Dr Meas Nee, VFI: 29.11.06).

When I suggested such an explanation to Glenn Morgan during the interview, he downplayed the value of the BPAMP to the MoE, saying that it was relatively small and represented only a modest investment (Glenn Morgan, The World Bank 09.12.07). This would appear to be a deliberate understatement, as while current investment is modest, the project's pilot status means that there is considerable potential for future project funding. Therefore there is a convincing case for significant World Bank influence over the MoE. The fact that the MoE worked efficiently to help prosecute logging offenders, may therefore be seen as a rare, isolated victory, for impartial governance over entrenched local and national power structures. However, as this case will demonstrate, while impartial governance practices may have won an isolated battle, they clearly lost the war.

On the whole BPAMP team leader Glenn Morgan was keen to describe the Dragon Tail affair as a success. Logging had been discovered and subsequently stopped and the process of documenting the logging as illegal had gone well (ibid). Is this a characterisation of proceedings that is credible? If the case is divided into sections then the answer is partly yes. The middle section of proceedings, the process of evidence gathering and prosecution, did in fact go well. The accused were convicted and given hefty sentences. However, if the case is looked at as a whole from start to partial finish (what will happen to the fugitives in the future is unknown), then claims of successful management of forest resources fall flat. The failure of the MoE to detect logging before 15million USD of timber had been carted out, and the fact that all but one of the convicted officials are still at large, point to fundamental governance problems. This thesis has already asserted that delayed detection was a combined result of the effects of local hierarchical status and active patronage protection. In the following pages, the argument will be made that similar forces are at work in keeping convicted officials out of custody. To construct this argument further, it is necessary to focus on the relationship between the former Governor of Ratanikiri Kham Khoeun and former Minister of Defence Bou Thong.

7.3 Kham Khoeun and Bou Thong

As mentioned above, Kham Khoeun was the Governor of Ratanakiri at the time of the Dragon Tail logging. He is also a member of one of the indigenous minority groups, the Tampuan, that live in and around the Virachey N.P. In addition to his former position of Governor and his status as a well known figure in the CPP (Prak 2006: 15), Kham Khoeun has significant business interests in Laos, including a hotel and many other assets just across the border (Anonymous informant: 07.12.06). According to an informant within the NGO community, Kham Khoeun has been involved in illegal operations for a long period and also has significant rubber plantations (ibid). While these political positions and business interests clearly make Kham Khoeun a powerful local figure in his own right, his standing is considerably enhanced by having an influential patron, Bou Thong, within the inner sanctions of the CPP.

In addition to being a former Minister of Defence (1985-89) and commander of the army, Bou Thong is currently a member of the Permanent Committee of the CPP³. Up until 2003, Bou Thong had responsibility for party activities in 3-4 provinces, but the increase in committee members has led to his influence being reduced solely to Ratanakiri. Bou Thong is the only Member of Parliament for Ratanakiri and like Kham Khoeun has significant business interests. However while Kham Khoeun's interests are primarily in Laos, Bou Thong's interests are concentrated in Vietnam and in particular the property market in Ho Chi Minh City (ibid). My informant claimed that Bou Thong had been at his most powerful after the Vietnamese backed invasion of Democratic Kampuchea in 1979 and throughout the 1980's. At this early stage in Cambodia's redevelopment, Bou Thong was one of five members of the PRK's leadership group. He was

³ The Permanent Committee of the CPP is the party's most powerful decision making body. The committee currently has around 50 members, the number having increased steadily since the early 1990's. Members of the Permanent Committee have responsibility for the provinces, with more populous provinces like Kompong Cham being divided among 3-4 members. The Permanent Committee appoints Governors which are then endorsed by Royal Decree (ibid).

considered extremely useful by the Vietnamese as he was respected by many of the indigenous groups in Cambodia's North-east and could therefore command their loyalty (Gottesman 2003: 47). While his influence has declined steadily since this time, my informant alleged he still maintains a good profile and connections. For example, as the Permanent Committee member responsible for Ratanakiri, he still personally appoints and advises the province's Governor. Also interesting to note is that Bou Thong comes from the same indigenous Tampuan minority as Kham Khoeun and that Kham Khoeun's wife and Bou Thong have a family connection (ibid). My informant explicitly described the relationship between the two as one of a patron and his client. In addition he went on to allege that "Kham Khoeun wouldn't have escaped from justice if it wasn't for Bou Thong" (ibid).

These comments were lent weight by observations made by Dr Meas Nee of VFI. When pressed on the whereabouts of Kham Khoeun and other convicted officials, Dr Meas claimed that

"high ranking people know where they are.....they know exactly. He (Kham Khoeun) goes in and out over the border of Stung Treng and Laos quite often. If there is a big corruption scandal in the system, the ones who are not really part of the system they end up in jail, but the ones who are part of the system are always looking for a way out, people higher up can help you" (Dr Meas VFI: 29.11.06).

It is important to mention here that although Kham Khoeun by all accounts is based in Laos, Cambodia and Laos have an extradition agreement. There are therefore no legal barriers preventing the ex governor being arrested and put into custody. An anonymous informant within press circles told me that it was unlikely the Government would do this as leniency towards Kham Khoeun would increase his indebtedness (and presumably usefulness) to unnamed senior patrons (read Bou Thong) within the CPP (Anonymous press informant: 27.11.06).

If indeed the above information is correct, and Bou Thong is Kham Khoeun's active patron, then their relationship affords a number of important insights. Firstly, this case illustrates that patron-client relationships may be established on the basis of existing affiliations and connections. Not only do Bou Thong and Kham Khoeun belong to the same ethnic group, but through Kham Khoeun's wife they also have direct family ties. Secondly, those involved in the relationship actively utilise Government structures to achieve their goals. In this case the power residing in the Permanent Committee of the CPP has been used by the patron to elevate his client's status. Kham Khoeun was directly appointed Governor of Ratanakiri by Bou Thong. This appointment had the twin effect of increasing both the client's ability to generate income and his indebtedness to his patron.

Finally the case also demonstrates that reciprocity is an integral part of the patron-client relationship in Cambodia. On the one hand the client is expected to use his position to generate (illegal) income for his patron. On the other the patron is expected to safeguard both the illegal activities themselves and his client's wellbeing. Indeed the Dragon Tail example demonstrates that systematic, patronage based corruption of this scale would be almost impossible without reciprocity. Here reciprocity is not merely a cultural remnant but an essential part of the income generating system. My informants alleged that Kham Khoeun fulfilled his part of the deal by conducting illegal logging, thereby ensuring a steady cash flow. According to the same informants, Bou Thong in turn used his central position in the CPP to give Kham Khoeun the space he needed to continue operating and the confidence that, even if discovered, he would avoid serving time. This reciprocal contract linked local and national power bases in a lucrative business venture that would have been impossible to establish alone. In this case at least, reciprocity paid off.

The Dragon Tail case outlined in this chapter has been able to provide a good deal of information about the character of patronage in the Cambodian context. It

has also made a contribution to the central question this thesis seeks to address, that is how patronage relationships contribute to/facilitate corruption in the forestry sector in Cambodia. The following chapter will attempt to further chart the links between patronage and forestry corruption with reference to existing theoretical concepts, cultural constructs and contemporary cases.

8. The Crux of the Matter: How patronage facilitates corruption.

This discussion chapter will argue that patronage facilitates corruption by establishing an alternative set of norms and practices that may contradict the official rules of state. As a ‘face to face’ relationship, patronage articulates personal obligations and sanctions. These obligations and sanctions are able to influence behaviour as they make cultural, historical and political ‘sense’ to the actors involved. Patronage embodies positive values such as loyalty and respect, promises security, affluence and status and highlights the uncertainties associated with standing outside the relationship’s protective embrace. Theoretically, the following pages will demonstrate that none of the constructs devised by Scott, Migdal, or Sidel is sufficient (on its own), to understand how patronage functions in Cambodia. However by drawing on a number of patronage theorists, and using them in a complementary rather than oppositional manner, a more comprehensive picture emerges. This picture shows that patronage is not only able to take advantage of a state’s weaknesses but also its strengths, and that the relationship may be based both on the expectation of reciprocity, *and* the fear of sanctions. There need be no inherent conflict in these statements. Patronage is multifaceted, persistent and adaptable. In fact it is this ability to align itself with prevailing cultural values and to infiltrate state structures, which has enabled patronage to assume its key position within Cambodian forestry.

One of the main aims of this thesis has been to draw attention to governmental decision making on an individual level, to focus on what motivates and encourages forestry officials to make corrupt decisions. Empirical evidence demonstrates that patronage is a behaviour modifying force, that brings with it explicit expectations and sanctions for those within the system. When these expectations run contrary to official rules and regulations, fulfilling them may result in corruption. Interviews with actors in, and observers of, the Cambodian

forest sector found that the allocation of positions on the basis of cash payments and/or patronage is widespread. Many officials are therefore indebted from their first day to higher ranking patrons. In return patrons may expect unofficial, illegally sourced income to be generated by their clients and have sanctions on hand if this income is not forthcoming. Officials who have bought their jobs are therefore in little doubt as to where their loyalties lie. They are personally indebted to their patrons and the sense of obligation this debt engenders could affect the professional choices they make throughout their careers. In the cases I investigated in Cambodia, many of the patronage relationships were based either on family or ethnic ties. This serves to emphasize the fact that the actors involved in patronage are not strangers. They know each other, and are linked to each other, independent of any formal job connection. In fact it is this personal association, and the expectations it carries with it, that is the primary reference point for the individual. The professional relationship is merely a useful by-product, a consequence of the main personal and private relationship model. For many clients in forestry departments, their entire working life is a result of their connections. The employment process, allocation of posts and career progression, are all dependent on having and keeping an influential patron. It is not illogical then that the rules and norms present in this personal relationship often take priority over those inherent in the job description. It is far easier to conjure loyalty to a person than it is to a set of professional ideas, especially when that person is one's boss, a senior member of one's family and the person responsible for one's position and income.

While the personal and cultural bonds of patronage are important for it to function effectively, there are also practical aspects to the relationships that are just as important. To turn one's back on an influential patron is to choose an inferior career, a weakened personal network and a drastically reduced bank balance. These overwhelmingly negative consequences play a key role in motivating clients to maintain patronage relationships. They draw into sharp

relief the choice that lies before them. On the one hand official impartial practice, alienation and exclusion; on the other unofficial patronage, personal loyalty, network building and tangible rewards.

8.1 Reciprocal Expectation and Sanctions

8.1.1 Expectations

Within the patron-client relationship, each party has clear expectations as to how the other should behave. From the point of view of the patron, the primary expectation is that clients generate consistent revenue and pass on a substantial percentage of that revenue up to the patron. When asked about what happened to revenue generated by officials, Dr Meas Nee said that “one was for yourself and your family, second for your boss who nominate you or allocate your place and the third is for National revenue maybe 20%.” (Dr Meas VFI: 29.11.06). This is to say that 80% of revenue is distributed unofficially according to patronage norms. Informants identified two main ways clients made payments to their patrons. The first was the regular, monthly “cash in an envelope” payment that many within a chain of command handed over to their superiors. Mike Davis explained that “we’ve come across plenty of examples in the forest sector where it’s very much about so and so makes x amount per month and they’re going to have to pay over a certain amount to the boss” (Davis, Global Witness: 18.10.06). This arrangement appears to be relatively businesslike and sterile, a plain monetary transaction. However, supplementing these ‘cold hard cash’ payments, are what Yun Samean called “emotional and sentimental gift giving” (Yun: 27.11.06). Here clients attend religious and family ceremonies given by their patrons throughout the year. The ceremonies provide a chance for the client to show deference and respect to their patron but also to make a donation (Anonymous informant: 23.11.06). A typical ceremony where it is possible to make such a donation is a wedding. It is customary to give money rather than

gifts at Cambodian weddings. At weddings I have attended, one of the most important parts of the ceremony is where the married couple lie propped up on their elbows on a rug. The groom presses his left palm into the bride's right palm and all the guests then line up to tie a symbolic thread around their wrists. After this, money in an envelope is wedged between their palms. Before it is the next guest's turn, the money is taken out of the envelope, counted and a name and amount are entered into an account book. In this way a written record is kept of how much money each guest has contributed. This practice is useful, in that it provides clients with a reliable yet personal way of making payments to their patron. Such examples demonstrate that the family or ethnic connection is not merely a precursor for a primarily business partnership, but also an integral part of the partnership's ongoing character. Many of the actual practices evidenced in patronage explicitly reflect the personal nature of the relationship. This means that the actors involved are continually reminded that their obligations are also personal. These practices are a way of strengthening existing trust, interdependence and loyalty through reiteration of the relationship's foundational logic. Symbolically, practices like gift giving may also reflect broader cultural values (such as hierarchical respect for those who are older/more senior than oneself), values that legitimise the relationship and all that occurs within it, conceivably giving it a veneer of respectability. In the case above, illegitimate, corruption based resources, are transferred within a legitimate cultural and social context; effectively cultural whitewashing.

Ngy San, Deputy Executive Director of NGO Forum, gave further examples of the personal nature of resource flows from client to patron. He pointed out that top officials are often just as concerned about enhancing their status in the community as making money. Top party officials for example are happy not just to accept monetary support, but also other material support that makes them and their party look good (Ngy, NGO Forum: 29.11.06). Clients often conduct logging operations in order to generate funds that are then used to mobilise

support for the party, organise party events and build bridges and roads which make the party popular locally and impress top officials (ibid). Other means of support may include health care (clients pay to send a patron for treatment overseas) and education (clients pay for the education of the patron's children), although this last case is less common (ibid). In these examples not only do payments from the client serve the personal interests of the patron, but are also beneficial to political parties and, indirectly, to local communities. As a result, clients are able to defend their actions not only on the basis of personal loyalty, but may also in some cases claim to be serving the greater good. These examples are important, as they demonstrate how corrupt actions may be skewed in a socially legitimate direction and made justifiable, at least for the actors involved. Patronage lends a veneer of validity to otherwise blatantly unlawful logging activities.

In addition to the expectations patrons have to their clients, there are also expectations running in the opposite direction. Although they are the lesser partner in the relationship, clients nevertheless have clear expectations as to the services their patrons should provide. Dr Meas Nee of VFI summarised these expectations succinctly when he claimed that "if I am in a system and I dare to (be) corrupt, that's because I am protected" (Dr Meas VFI: 29.11.06). Patrons then are expected by their clients to give them the space they need to generate illegal income. Clients often need their patrons to lean on other actors, who could potentially threaten the smooth flow of resources within the relationship.

In the course of my fieldwork, I was given numerous examples of how these expectations manifested themselves in practice. Perhaps the best example was the case of the disappearing oxcarts. In November 2004, Chan (not his real name), was conducting fieldwork for a project on illegal logging in Cambodia. On the day in question he was in Kompong Thom province, interviewing officials at FA checkpoints. Accompanied by the local boss of the FA and a police escort he

arrived at one particular checkpoint⁴ to find that 4 FA officials, with the support of military police, had stopped over 200 oxcarts loaded with illegally cut timber. The drivers of the oxcarts were asked to gather in a cleared area nearby, and, guarded by police, looked like they were preparing to stay overnight. Chan took pictures and interviewed some of these drivers. Those he talked to claimed they were merely petty log cutters who were going to make basic furniture from the timber. They claimed there wasn't much money to be made out of each cart, only about 40,000 riel (10 USD). (Chan: 01.12.06). At 7.30pm, Chan left for nearby Kompong Thmor to spend the night in a hostel. When he returned at 9am the following morning, all the oxcarts had gone. Chan interviewed the FA officials at the checkpoint, who said the loggers were allowed to continue at the request of a parliamentarian in Phnom Penh. A representative from the loggers had called and alerted the parliamentarian to the situation at the checkpoint. The parliamentarian had then made contact with the FA officials and explained that the oxcart drivers were just petty loggers and that if they weren't allowed to cut wood, how would they make a living. If they could not earn a living then the popularity of the party was at stake (ibid).

This example demonstrates clearly that clients (in this case the loggers with their representative) were able to call on a senior patron (a parliamentarian from Phnom Penh) when faced with a situation beyond their control. The very fact that the call was made at all, reveals an expectation from clients that their patron will get them out of trouble if needs be. In this case the expectation was fulfilled; the parliamentarian made contact with the relevant authorities and the loggers were allowed to continue on their way.

Another case that adheres to a similar pattern, was outlined by an anonymous informant whose organisation worked in partnership with the MoE. Because of this connection, the informant was well placed to observe patronage in practice.

⁴ This checkpoint was at the edge of the forest, 22km from the town of Kompong Thmor.

He referred to instances where his organisation and the MoE have collaborated on law enforcement in the Aural Wildlife Sanctuary. These examples have been used earlier in this thesis to demonstrate the powerlessness of the MoE (see page 55), yet they are just as relevant in this context.

“There have been times where we have raided sawmills, arrested managers and operators, prepared court cases and sent them to court. However, within 24 hours the director of the Wildlife Sanctuary or court officials receive angry phone calls from high ranking military officials or politicians, accusing the MoE of acting beyond their station and making threats. Court officials in collusion with the MoE would then go soft on the accused. They would try them quickly and give them a light or suspended sentence, or release them on bail and then never follow up or set a trial date” (Anonymous informant: 23.11.06)

Here the dynamics of patronage are clearly expressed. Patrons are able to protect clients by using the authority vested in their positions. In this example high ranking patrons are able to scare lower ranking MoE and court officials into going easy on the accused. The empirical evidence outlined in the above cases clearly points to reciprocity as a central, relationship-bearing attribute within Cambodian patronage. Patrons anticipate a client’s material and sometimes political support whereas clients in return expect to be protected by their patron, and allowed to go about their revenue generation undisturbed. When high ranking patrons extend their protection to clients in trouble, the patronage relationship clearly pays off. In the context of Cambodian forestry, a patron’s reciprocal duty is no empty promise.

From a theoretical perspective, Scott’s version of reciprocity in patronage is particularly useful. He maintains that in patronage relationships, each partner provides a service that is valued by the other. Although the balance of benefits may heavily favour the patron, some reciprocity is involved (Scott 1977: 125). Clearly the exchanges of material support for protection documented above conform to this model. While the patron sets the tone for the relationship and

dominates the flow of resources, the client can also expect to be well looked after. Sawmill managers, oxcart drivers and formal provincial governors have all eluded the law by involving influential patrons. However, when seeking to understand the workings of patronage in Cambodia, this conclusion is not without its problems. Why do powerful patrons in a steep hierarchical society like Cambodia bother to look after their clients? Why do they not simply dictate the terms and use the formal and informal power structures at their disposal to coerce clients into submission?

In the first instance, examples from the Cambodian forestry sector demonstrate that clients, while hierarchically inferior to their patrons, still possess considerable bargaining power. Clients, either through their bureaucratic posts or their ownership of logging equipment, represent a patron's practical revenue generating capabilities. As such they are of great instrumental value. A clientele consisting of sawmill managers and oxcart drivers, means that patrons possess the ability to cut and transport timber, without the inconvenience of having to own the equipment themselves. Here reciprocity acts as the glue in a mutually beneficial business partnership, creating a win-win situation for the actors involved. Whereas coercion has the potential to breed resentment among clients, an exchange of practical and institutional capabilities is more likely to result in a complimentary, co-dependent relationship. Secondly, most patronage relationships are established on the basis of either family or ethnic ties. This is because a shared background is regarded as an extra guarantee of loyalty. However, this loyalty comes at a price. Clients are loyal to senior patrons partly because of hierarchical respect, but also partly because they expect, as a member of the family, to be looked after. In this way the family/ethnic connection not only encourages respect and loyalty, but also promotes reciprocity.

Finally, it is also vital to recognise that patronage within the Cambodian forestry sector is primarily an elite affair. Clients gaining access to positions in forestry departments have either substantial resources, family connections or both. Other

clients, such as sawmill owners mentioned above, have significant practical capabilities, and some, like former Governor Kham Khoeun even have influential administrative positions in their own right. Therefore the power imbalance between patron and client is not so great as to permit a pure command relationship (ibid). On the whole reciprocity exists in the patronage relationships examined here partly because it fulfils a distinct purpose. It stabilises the relationship and provides a better incentive for compliance than force. Joint expectation strengthens the motivation of both parties to persist in a binding alliance. In Cambodian forestry, where impartiality is little more than an abstraction, patronage relationships based on personal reciprocity are the most reliable way of building influence.

8.1.2 Sanctions

While it is clear that expected reciprocity is a significant incentive to patronage in Cambodian forestry, this does not mean it is the only one. In addition to articulating clear expectations, patronage is also structured so that failing to adhere to the relationship's norms has consequences. However, in contrast to relationships based on pure coercion or formal authority, the sanctions available within patronage are far more implicit and internalised. Patrons rely on the power of their positions to compel assent. These positions mean that they may transfer clients who do not perform to less attractive postings. This ability is a firm reminder of hierarchical power, of the power to withdraw privilege. Indeed in most cases this is all that is needed. Most clients within the Cambodian forestry sector have entered into an active patronage agreement of their own accord. They have done so after having assessed the alternatives (an unstable job, less money and stagnant career prospects) and found them inferior. In other words, in the patronage relationships this thesis has investigated, clients have a vested interest in the success of the venture. Although the client realises the inherently uneven, hierarchical nature of the relationship, he/she is willing to accept this situation as

the patron is able to provide, unilaterally, services the client needs (Scott 1977: 125). This attitude means that more overt forms of coercion are unnecessary. Both client and patron are stakeholders in what is simultaneously a private and public partnership. This merging of interests lies at the heart of patronage. It means that, despite its inherent unevenness, patronage remains a stable and effective method of controlling behaviour and generating income. In fact one of the main advantages of patronage for the patron is that it avoids the mutually harmful effects of explicit coercion and violence. The patron is as interested as the client in a stable flow of revenue and support, and coercion is a notoriously unstable source of power. So while the threat of sanctions is present in patronage, it is for the most part muted, to the benefit of reciprocity.

8.2 The Cultural, Historical and Political Environment

As mentioned at the start of this chapter, there are specific factors that make the personal obligations and sanctions outlined above effective and relevant to the actors involved. It is important now to look at these factors in more detail, as they may go some way towards explaining the strength of patronage in Cambodian forestry. Firstly, the compatibility of patron-client relations with certain cultural norms undoubtedly increases their appeal. The general patronage pattern that emerged during my fieldwork was that of cooperation between a senior and a junior member of a family or ethnic group. This relationship model corresponds not only with the Cambodian hierarchical tradition outlined in Chapter 4, but also with current practice. Between March and June 2000 I lived with a Cambodian family in a village in Kompong Cham province. During this time I was able to observe patronage as a common and accepted relationship form, one that was seen to have advantages for all involved. The family I lived with had 11 members, mother, father and 9 children. Of these children, the two oldest boys

lived in Phnom Penh with an ‘uncle’⁵. This uncle had previously occupied influential Government positions, including that of foreign ambassador, and lived in an apartment in one of Phnom Penh’s most fashionable areas. The two boys lived with their uncle in order to attend university, something which would have been impossible had they remained at home with their family. In return for his willingness to help the boys obtain a higher education, the uncle received household support from the family, including regular supplies of rice. This involvement of an extended family member in order to give young people important opportunities is a common and accepted part of Cambodian culture, one which during my stay in 2000 I was able to observe a number of times. Examples such as this one demonstrate that personal, hierarchical relationships are seen as a valid way of achieving goals. The patronage patterns observed in Cambodian forestry institutions are not unique, but rather are examples of what is a widespread practice. Patronage is one of the relational models Cambodians rely on, and as such is an appealing way of meeting professional needs.

Theoretically, Migdal’s ‘state in society’ model is helpful here in that it highlights how non-state systems, like patronage, gain and maintain influence. As discussed in Chapter 2, the ‘state in society’ model regards the state as only one of a plethora of social organisations that seek to regulate people’s behaviour. Migdal asserts that these organisations “have used a variety of sanctions, rewards and symbols to induce people to behave in their interactions according to certain rules and norms” (Migdal 1988: 25). In response to these sanctions, rewards and symbols, people construct what Migdal calls “strategies of survival”, which are “the roadmaps used to guide one through the maze of daily life, ensuring ones existence and, in rare instances, pointing the way to upward mobility” (ibid: 27). This picture of society as a collection of control seeking organisations, and the individual as an actor able to make a personal choice, is an important one in the context of this thesis. It demonstrates that patronage, as an independent network

⁵ The term ‘uncle’ is used liberally in Cambodia. The person in question was actually a distant relation.

of norms and rules, must appeal to individuals in order to survive. In the Cambodian context, one of the ways patronage appeals to individuals is through cultural compatibility. It draws upon and conveys distinct and established cultural traits and in so doing enhances its own image as an appropriate form of association.

Another contextual factor that has contributed to the relevance of patron-client relations, and the associated prevalence of corruption, is Cambodia's unique political and social history. As discussed in Chapter 5, the revolution Cambodia endured in the four years from 1975 effectively annulled the country's collective governing experience. After the fall of the Khmer Rouge in 1979, Cambodia's state apparatus was, literally, non-existent. There were no offices, no staff, no educated class from which to recruit and no party organisation around which an effective administration could be built (Gottesman 2003: 48-50). Given this desperate situation, it need come as little surprise that officials in the PRK recruited new bureaucrats from among people they knew. On the one hand this reversion to patronage may be seen as a rediscovery of culturally based administrative practices that existed before the Khmer Rouge. Dr Meas Nee highlighted this link by equating the Hun Sen regime with that of Prince Sihanouk's regime during the 1950's and 60's. Many of the same dynamics, including patronage, could be observed in both administrations. (Dr Meas, VFI: 29.11.06). On the other hand it is vital to stress the fact that, in Cambodia at that time, there were few practical alternatives. Officials used the only recruiting practice that would work in a country that lacked even the most basic of administrative infrastructure. They built a state on personal alliances. In this way patronage filled a stateless vacuum, and in the process became the foundational logic around which the new administration was built. The problem for state departments today is that as the state was born through patronage, its logic is so internalised that it is difficult to imagine the state functioning without it. Patronage, through its clear articulation of expectations and sanctions, provides

predictability and stability. Its hierarchical nature also means that each official's place is clearly delineated. Unfortunately for Cambodia's natural resources and the people who rely on them to make a living, this political stability comes at a price. Forest areas must be cut in order to fuel the revenue flows that sustain patronage relationships. In the first months of 1979, patronage presented officials with the means to build a functioning administration from scratch. Over the following years it ensured a stable, organised income flow from the bottom of the bureaucracy to the top. The fact that this resource extraction is predominantly self-serving and that the vast majority of the money generated from official positions ends up in private hands, clearly demonstrates that patronage facilitates corruption.

The claim that Cambodian bureaucrats and politicians have used a patronage based state apparatus to build influence, corresponds with Sidel's view that state organisations may be used by strongmen (or patrons) to gain control over resources. In the Philippines, Sidel observed that municipal mayors enjoyed (among other things) control over access to fishing grounds, forested lands and mangroves, important local appointments and the licensing of sawmills (Sidel 1999: 27). The similarities in the context of Cambodian forestry are many. Members of the central committee of the CPP for example, have the authority to appoint provincial Governors. In the case of central committee member Bou Thong, this authority was used to appoint a personal client as Governor of Ratanakiri. This client (Kham Khoeun) in turn used his position to conduct illegal logging operations in Virachey National Park. In this case there is a direct correlation between control over state procedures and personal resource accumulation.

In "Taking a Cut", Global Witness describes similar dynamics within the Forestry Administration. In 2003, officials took advantage of the restructuring of the Administration, which introduced additional bureaucratic layers, to double the fees collected from illegal loggers. The report states that "FA checkpoints now

demand two sets of bribes: one for the triage (local) level of the FA and one for the division level” (Global Witness 2004 (a): 34). This is a clear illustration of how actors in patronage relationships may utilise the state organisation to extract illegal resources. It is also a good example of how the theories of Migdal and Sidel complement each other. Not only does the doubling of bribes represent the usefulness and strength of the state apparatus as a resource generating device, but also its weakness as a law enforcement body. In this instance whether the state is strong or weak depends on who you ask. For members of the public and observers concerned with the states capacity to deliver on policy, it is not difficult to find weakness. Instead of applying forestry law in Aural, the FA seems more concerned with generating personal income. In addition, local and divisional staff clearly extract bribes with impunity, an indicator that impartial standards of procedure have been compromised. The end result is inadequate law enforcement and continued illegal logging within a protected area, clear signs of a weak state department. On the other hand, for those paying and collecting bribes, the state’s strengths are just as apparent. Adjustments in the organisation of the FA had a direct impact on revenue flows. FA officials were able to increase the amount of money extracted from sawmill owners. This fact in itself is proof of the state’s instrumental strength for patrons and their clients. Therefore, it is possible to claim that the polarisation of the patronage debate into strong/weak state positions is misleading. These apparently contradictory conceptualizations are merely the state examined from two different viewpoints. The first viewpoint looks at the ability of the state to deliver on policy and finds weakness. The second examines institutional state structures, finds they are useful to ‘strongmen’ or patrons, and concludes with state strength. Each analysis sees things the other misses. Used in a complementary manner, they provide a useful picture of how the state, as a whole, functions and relates to society.

9. Conclusion

This thesis set out to test the claim that patronage relationships facilitate corruption in the Cambodian forestry industry. The main problem it has grappled with throughout is how. How do these relationships exert pressure on the actors involved and encourage them to engage in corrupt practices? In an attempt to tackle this problem, the following key questions were formulated as a basis for enquiry. What relevance do patronage relationships have within the current political field? In what ways can they be considered a cultural phenomenon? How have they changed/adapted in response to historical developments? Does their existence encourage certain modes or patterns of corruption? This conclusion will now work through each of these questions in turn, in a bid to clarify the main theoretical issues, methods, empirical evidence and arguments found in this thesis.

9.1 What relevance do patronage relationships have within the current political field?

Patronage continues to be relevant to actors in the Cambodian forestry sector, since it articulates an alternative set of norms and rules that may contradict official state practice. As a behaviour modifying force, patronage has a firm grip on the decisions of officials at all departmental levels. According to the informants I interviewed in Cambodia, access to government positions in forestry departments is often contingent upon support from an influential patron. These patrons deliberately build networks of clients in order to increase their own revenue generating potential and to ensure political and personal support. Once on the inside, clients are obligated to provide this support and may be transferred from attractive positions if it is not forthcoming. Thus clients are presented with a practical and ethical conflict of interest. Practical because the situation involves choosing one set of actions and outcomes over another, ethical because making a

choice also means adhering to a set of behavioural norms. On the one hand, public service and impartiality; on the other, private and personal reciprocal obligation. In the context of Cambodian forestry it is impossible for clients to have it both ways. They cannot contribute *all* revenue generated from official positions to the public coffers without offending the reciprocal rules of patronage. At the same time, channelling any amount of public resources into the hands of patrons makes them guilty of corruption; that is the use of public office for private gain.

Given this conflict of interest, patronage provides a clear motive for officials to engage in corrupt activity. The collection of bribes at timber checkpoints and the extortion of money from sawmill owners occur partly because clients are expected to generate income for their patrons. At the same time clients who engage in these corrupt actions are aware that, should some other Government department or law enforcement body seek to intervene, their powerful patron is a guarantee of protection. In this way patronage acts as a stimulant to corruption. It both demands revenue and insures it against outside interference. The very existence of active patronage relationships *within* Government departments over time means that corruption is almost a certain outcome. The demands of this instrumental friendship between two people in official positions run contrary to the impartial, regulatory demands of office. Patronage is relevant in the current political field as it personalises the public decisions of state based actors.

9.2 In what ways can patronage be considered a cultural phenomenon?

Having established patronage's relevance as a behaviour modifying force within government, it is appropriate now to look at the devices it utilises to exert this influence. Patronage as a relationship model draws on existing norms and structures in society as a way of enhancing its legitimacy. It exhibits key cultural traits that are also observable in other areas of Cambodian culture. One of the

most important of these is hierarchy. Throughout history, in language, religion and governance forms, hierarchy has organised and structured Cambodian society. It has not only given people information as to their place vis a vis others, but also provided guidelines as to appropriate behaviour. The fact that patronage is also essentially hierarchical means that it appeals to participants as a ‘sensible’ and legitimate form of association. Patrons and clients and the reciprocal obligation they share are deeply embedded in Cambodian culture as mutually beneficial, positive phenomena. Dr Meas Nee of VFI expressed this sentiment clearly when he stated that

“the patron client system is always perceived by the Western world as a negative, but in Cambodia, well we can say we are not a welfare state, and so we have developed community welfare systems and patronage is one of these...the powerful and the powerless can stay together” (Dr Meas VFI: 29.11.06).

In addition, patronage adheres to cultural norms through its use of the family/ethnic group as its primary reference point. This development of patronage within existing social identity structures means that participants also assume the binding obligations that govern the intra-group interactions of, for example, family members. Patronage does not stand alone as a relationship model, but draws heavily on cultural notions of hierarchy and family/group behaviour. This in turn strengthens the binding obligations that hold patron and client together.

9.3 How have patronage relationships changed/adapted in response to historical developments?

This thesis has concentrated on the historical period stretching from the start of the Khmer Rouge regime in 1975 until 2007. A historical perspective was deemed necessary in order to comprehend how patronage has managed to gain and maintain such a prominent place in the Cambodian forestry sector. During the short period since 1975, Cambodia has experienced a Communist revolution,

a Vietnamese invasion, a civil war, the most extensive UN operation in history and a violent military coup. In other words, during the last thirty years of Cambodian history, instability and insecurity have dominated the political and social scene. The effects of this historically unstable period on patronage have been substantial. Firstly, the lack of any form of functioning administration in 1979 opened the door for patronage to become the logic of Cambodian governance. Officials built the fresh administration on personal contacts, which in turn became influential personal networks. Those leaders, who at this early rebuilding stage were most adept at utilising patronage, remain in 2007 the most influential in the country. In relation to the forest sector, this proliferation of patron-client relations formed the basis for what, in the 1990's, became an extensive resource extraction industry. The elections of 1993, and the subsequent power sharing agreement between FUNCINPEC and the CPP, only served to fuel the clientilization of the state apparatus (Le Billon 2002: 569), as each party sought to generate revenue and gain the upper hand. In this case, democratic competition in an immature state administration led to the strengthening of patronage networks. Because of this pattern of politics, the formal institutions and rules prescribed by the new constitution of 1993 failed to become effective instruments of control. Criminal activities within the forest sector were rarely condemned or punished, as patrons considered protecting their clients to be more important than justice (ibid: 570). Therefore, it appears that the political instability and insecurity that has plagued Cambodia since 1975, has also encouraged the growth of self serving personal networks like patronage.

9.4 Does the existence of patronage encourage certain modes or patterns of corruption?

By linking individuals from different departmental levels together, patronage encourages the development of systematic or endemic corruption. These terms refer to a situation where the major institutions of Government are dominated by

corrupt individuals and practices (Johnston: 1998: 89). Corruption in Cambodian forestry is endemic as illegal revenues flow from individuals involved in activities ‘on the ground’ (illegal sawmills, timber transport, bribery and extortion) to high ranking officials who in turn offer protection. This link means that corruption occurs within a systematic and organised framework, which is superimposed on a number of different administrative levels. Therefore it is misleading to analyse corrupt activities in Cambodian forestry as isolated events committed by rent seeking individuals. Such an analysis has little explanatory power when attempting to understand the sheer scale and complexity of illegal forestry activities. The Dragon Tail case is an excellent example of this point. Here 15million USD worth of timber logged from a National Park disappeared over international borders. The offenders were tried and sentenced by the courts yet remain at large. The developments in this case were difficult to comprehend without reference to the underlying patronage relationships which made it possible. Once the relationship between Bou Thong and Kham Khoeun was confirmed, what at first seemed a random, disconnected chain of events assumed fresh significance. This case, along with examples from the Aural Wildlife Sanctuary, demonstrated the ability of patronage to establish a ‘shadow state’, where influential patrons draw authority from their ability to informally control markets and their material rewards (Reno in LeBillion 2002: 564).

In addition to the ability of patronage to encourage endemic corruption, its personal nature may legitimise the relationship for the actors involved. Resources derived from bribery and extortion are often transformed within patronage into wedding gifts, contributions to party events or health care support. As such the patron and client partnership is moulded to fit acceptable relationship forms and culturally established modes of hierarchical respect. This ‘cultural whitewashing’ may help to justify, at least for the actors involved, socially questionable activities such as bribery and extortion.

The whole idea behind this thesis has been to illuminate the fact that social forces beyond the laws of state are relevant to official decision making. In the context of Cambodian forestry, such forces often take the form of hierarchical, reciprocally binding patronage relationships. These relationships articulate clear interpersonal obligations and sanctions, which exert an influence on the actors involved. Under pressure to generate revenue, clients within forestry departments often resort to extortion and bribery, safe in the knowledge that they are protected in these activities by their patron. This pattern of money being passed up and protection being sent down is the key to patronage's cooperative success. It means that as long as patronage remains entrenched in Cambodian forestry departments, transparent, impartial governance is likely to remain an abstraction.

Interviews and informal conversations

In the course of my fieldwork I conducted 17 in depth interviews with 15 informants. The list of informants below is incomplete. This is because a number of the people I talked to preferred to remain anonymous. Many of my informants cited fear of personal reprisals if they directly criticized Government departments and/or officials. Others in the NGO community were more concerned that criticism would jeopardize the future ability of their organization to cooperate with Government departments.

In addition I have used information from informal discussions with friends and acquaintances in Cambodia. As these discussions took place in a private setting, I have chosen not to reveal the identities of those involved.

Brown, Graeme, *Community Forestry International (CFI)*, Ratanakiri Coordinator, 27.11.06

Davis, Mike, *Global Witness*, Cambodian Coordinator, 18.10.06

Vuthy Lic, *Cambodia Development Resource Institute (CDRI)*, Research Associate, Natural Resources and Environment, 23.11.06

Morgan, Glenn, *The World Bank*, Task Team leader of the BPAMP project, 09.12.06

Dr Meas Nee, *Village Focus International (VFI)*, 29.11.06

Sun Neou, *Centre for Social Development (CSD)*, 01.12.06

Than Sarath, *Forestry Administration (FA)*, Head office, Planning and Accounting Finance, 05.12.06

Yun Samean, *The Cambodia Daily*, Political Reporter, 27.11.06

Ngoy San, *The NGO Forum of Cambodia*, Deputy Executive Director, 29.11.06 and 07.12.06

Chor Tanath, *Ministry of Environment (MoE)*, 01.12.06

Anonymous informants interviewed:

23.11.06	27.11.06
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28.11.06	29.11.06
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01.12.06	20.12.06
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